



# 1998

## ANNUAL REPORT

*On the Work of the Georgia Courts*

Judicial Council of Georgia  
Administrative Office of the Courts  
July 1, 1997 - June 30, 1998



# 1998 Annual Report

July 1, 1997 - June 30, 1998

## Judicial Branch in Review

Message from the Chief Justice .....	3
Fiscal Year 1998 Highlights .....	8
Appropriations .....	10

## The Courts

Supreme Court .....	14
Court of Appeals .....	16
Superior Courts .....	18
State Courts .....	22
Juvenile Courts .....	25
Probate Courts .....	29
Magistrate Courts .....	35
Municipal Courts and Special Courts .....	39

## Judicial Agencies

Judicial Council .....	40
Administrative Office of the Courts .....	41
Board of Court Reporting .....	43
Council of Juvenile Court Judges .....	44
Council of Magistrate Court Judges .....	45
Council of Municipal Court Judges .....	46
Council of Probate Court Judges .....	46
Council of State Court Judges .....	47
Council of Superior Court Clerks .....	48
Council of Superior Court Judges .....	49
County and Municipal Probation Advisory Council .....	51
Georgia Commission on Dispute Resolution .....	52
Georgia Commission on Family Violence .....	53
Georgia Courts Automation Commission .....	54
Georgia Indigent Defense Council .....	56
Georgia Magistrate Courts Training Council .....	58
Georgia Municipal Courts Training Council .....	59
Georgia State-Federal Judicial Council .....	60
Institute of Continuing Judicial Education .....	61
Judicial Administrative Districts .....	63
Judicial Nominating Commission .....	63
Judicial Qualifications Commission .....	64
Supreme Court Commission on Equality .....	66
Supreme Court Committee on Substance Abuse and the Courts .....	67
Supreme Court Child Placement Project .....	68

## Judicial Appointments and Elections

Published by the Judicial Council of Georgia and the Administrative Office of the Courts in compliance with OCGA §15-5-24 and by Order of the Supreme Court of Georgia dated June 12, 1978. All rights reserved.

Judicial Council of Georgia • Administrative Office of the Courts  
244 Washington Street, SW, Suite 550  
Atlanta, Georgia 30334-5900 • (404) 656-5171 • [www.state.ga.us/Courts/Supreme/](http://www.state.ga.us/Courts/Supreme/)  
Director, George Lange III • Senior Communications Officer, Billie Bolton • Editor, Nancy K. Pevey

♻️ Printed on recycled paper.

# Judicial Council of Georgia

## June 1998

**Chief Justice Robert Benham**

Chair  
Supreme Court  
Atlanta

**Presiding Justice Norman S. Fletcher**

Vice Chair  
Supreme Court  
Atlanta

**Chief Judge Gary B. Andrews**

Court of Appeals  
Atlanta

**Judge Robert J. Castellani**

Fourth District Administrative Judge  
Decatur

**Judge A. Wallace Cato**

Second District Administrative Judge  
Bainbridge

**Judge Rita L. Cavanaugh**

President  
Council of Magistrate Court Judges  
Griffin

**Judge Howard Cook**

President  
Council of State Court Judges  
Lawrenceville

**Judge E. Purnell Davis II**

Tenth District Administrative Judge  
Warrenton

**Judge Philip F. Etheridge**

Fifth District Administrative Judge  
Atlanta

**Judge Richard S. Gault**

President-elect  
Council of Superior Court Judges  
Cumming

**Judge John E. Girardeau**

Ninth District Administrative Judge  
Gainesville

**Judge Helen W. Harper**

President-elect  
Council of Probate Court Judges  
Dublin

**Judge Edward H. Johnson**

Court of Appeals  
Atlanta

**Judge Cliff L. Jolliff**

President-elect  
Council of Juvenile Court Judges  
Gainesville

**Judge William F. Lee Jr.**

Sixth District Administrative Judge  
Newnan

**Judge Charles B. Mikell Jr.**

First District Administrative Judge  
Savannah

**Judge George F. Nunn Jr.**

President  
Council of Superior Court Judges  
Perry

**Judge Johnny R. Parker**

President  
Council of Probate Court Judges  
Calhoun

**Judge Donny Peppers Sr.**

President-elect  
Council of State Court Judges  
LaFayette

**Judge Dorothy A. Robinson**

Seventh District Administrative Judge  
Marietta

**Judge T.O. Sturdivant III**

President-elect  
Council of Magistrate Court Judges  
Marietta

**Judge William M. Towson Sr.**

Eighth District Administrative Judge  
Dublin

**Judge A.J. Welch Jr.**

President  
Council of Juvenile Court Judges  
McDonough

**Senior Judge E. Mullins Whisnant**

Third District Administrative Judge  
Columbus

# JUDICIAL BRANCH IN REVIEW



## Message from the Chief Justice

*Chief Justice Robert Benham made his fourth State of the Judiciary Address to the Georgia General Assembly on January 14, 1999. His remarks follow.*

### Introduction

Lieutenant Governor Taylor, Speaker Murphy, the members and officers of the House and the Senate, my colleagues on the Supreme Court, my colleagues on the Court of Appeals, members of the judiciary, my many friends and well-wishers, it's a high honor and a real privilege to be able to address a joint session of the legislature.

This is the fourth time that I've had this opportunity to address a joint session as the Chief Justice of the Supreme Court. We come today to thank you for your many years of support of the judicial branch of government and your dedication to improving the quality of life for all Georgians. We have also come to celebrate the accomplishments of the judicial branch of government.

### Gratitude

We appreciate the leadership that you have provided, making Georgia a leader in the Southeast and putting this state well on the road to becoming a leader in the country in the twenty-first century. As we begin the last year of the second millennium it gives us all an opportunity to stop and reflect on the many blessings we have enjoyed here in the great state of Georgia. We have been very fortunate to have outstanding leaders in this state. Governor Miller, through his appointments, has made Georgia's judiciary one of the finest in the nation. Lieutenant Governor Howard, as a loyal legislator, provided excellent leadership in the Senate.

Speaker Murphy has not only been the longest-serving Speaker in the country, but he has been one of the greatest Speakers in the country. As he and I exchanged pleasantries this morning, both of us couldn't help stopping to reflect on our years as lawyers and friends. It was some thirty years ago that I went to practice in northwest Georgia and had an opportunity to meet the Speaker. He pulled me aside, and he said, "You're one of our own and we're

going to make sure that things work out.” Mr. Speaker, just a month ago when your son and my friend was sworn in as a member of the judiciary, I know his mother was looking down on him with pride, and you were looking at him with pride. I was looking at him with tears in my eyes, because I knew how far we had come, having been at the university together and having practiced law in the same area. Mr. Speaker, I can assure you that just as you told me some thirty years ago everything would work out for me as a lawyer, I can assure you that everything is going to work out for your son as a judge.

We take pride as members of the judiciary in welcoming Governor Barnes and Lieutenant Governor Taylor as they assume their new positions of leadership in this state. We also take pride in welcoming our own Judge Edward Johnson who has assumed his position as the Chief Judge of the Court of Appeals. We also take pride in welcoming Judge Anne Barnes, the newest and most junior member of the Court of Appeals, and we welcome all of our new chief judges who are assuming positions throughout the state.

We are also proud of all of our legislators, and we are proud of our lawyer legislators—those who have given of their time, energy, effort, and service to their fellow human beings. As the new legislators assume their roles, I want to remind you of something my dad told me when I was twelve. Simple message: he sat us down, my two brothers and me, and said, “This is what it takes to live in this family: you will serve your God, you will sacrifice for your family, you will share with your neighbors, and you will perform public service if called upon to do so.” I see you have heeded the call of the very challenge my daddy issued some forty years ago, and we are proud of all of you as legislators.

We are proud to report that the state of the judiciary is fine. We have some of the best and some the brightest judges in the nation. We have some of the most dedicated public employees in our court system and some of them are here with us today sitting in the gallery—judges, law clerks, court personnel who serve the judiciary and who serve the citizens of this state. And I’d like for those members of the judiciary in the gallery and those members of the court system to stand and be recognized.

### **Role of the judiciary**

And while our duty is that of service to the citizens of this state, we want to assure you that we know the role that we must play. It’s a simple role: you make the law, and we interpret the law, and that’s the only role we have—one of interpreting the law. We’ve enjoyed the wonderful relationship we have had with the executive and legislative branches of government, so this morning I’m not going to report on all aspects of the judiciary. I will take my lead from the Governor and the Lieutenant Governor, who during their inaugural addresses talked about over-riding and over-arching principles. But I will tell you that we will be more than glad to furnish you a copy of our annual report.

Let me set the tone. Those of you who have been here for the three previous years when I delivered the State of the Judiciary Address know full well I’m from somewhat of an old school. My twelve-year-old son says that I am from a bygone era. In fact, he says *thankfully* a bygone era. But I’m from an era where we see good and blessings in everything that occurs, and there is a poem that sort of reflects that kind of goodness. It’s called “A Steadfast Heart.” The author is unknown. It says:

*We've dreamed many dreams that never came true and faded with the dawn,  
 but we've had enough of our dreams come true to keep us dreaming on.  
 We prayed many prayers that were never answered though we prayed and waited long,  
 but we've had enough of our prayers answered to keep us praying on.  
 We trusted many a friend—some disappointed us and left us to cry alone,  
 but we've had enough of our friends remain true to keep us trusting on.  
 We've sown many seeds—some have fallen by the road for the birds to feed upon,  
 but we've had enough of our seeds bear fruit to keep us sowing on.  
 Yes, we've tasted the disappointment and pain, and sometimes we've been left without a song,  
 but we've also tasted the sweet nectar of the roses that will keep us going on.*

And that describes what we do in the judiciary. There's happiness, there's heartache, and there's pain, but we continue to solve the problems of our communities. And as I reflect on the friends, the dreams, the hopes, the promises and the seeds that have been sown, I can't help but have a deep sense of pride at what we've accomplished in this great state. We must be doing something right, because everyday when I look out my door I see another moving van coming into our community. People are leaving the snowbelt and coming to the sunbelt for some of the southern tradition and opportunity and, hopefully, some of our southern hospitality.

### **Dreams and hopes**

But when I look at our dreams and our hopes, I realize that it is our dream and our hope that you will give us more judges on the Court of Appeals. We deserve the best judiciary in the country because we have the best people in the country. We have one of the most over-worked appellate courts in the country. They must do three times the work of any other Court of Appeals. Our fate is in your hands. We hope that you hear our cry and answer our plea for help.

We appreciate the efforts you've made in the area of juvenile justice. You've helped us improve the system by passing statutes to deal with crimes. We continue to dream and hope that you will find a way to fund at the state level our juvenile court judges. Juvenile justice can no longer be considered just a matter of local concern. Juvenile justice must be a matter of statewide concern. The fate of our children is in your hands. We hope you will hear our plea and answer our call.

We trusted you as our friends, and our trust has been rewarded because you created six new superior court judgeships, and those judges are now serving throughout this state. We trusted you, and our trust has been rewarded. You funded legal services in the area of domestic violence. We trusted you, and our trust has been rewarded in that you've provided adequate funding for the operation of the judiciary. We will continue to trust you because we have more things in common than we have things which separate us.

We've sown our own seeds also. We've created now our Blue Ribbon Commission to look at the judiciary. We created it without an additional penny of revenue from the state. The money to fund the Blue Ribbon Commission came from the lawyers of this state. This is being done in a way so that we can look at the entire judiciary and make it cost-effective, make it efficient, and continue to make it fair.

We've created a Commission on Public Trust and Confidence to look at ways in which the bench and the Bar can improve the delivery of legal services to the citizens and improve the quality of justice. We put many members from the private sector on this Commission on Public Trust and Confidence, and they will be going to Washington next month to join with other members to look at the development of a strategic plan.

We've created judicial district committees on professionalism to make sure that lawyers are not only competent, but are civil in their dealings with each other, with the court and with the community, and they are public servants and community servants. We are now beginning to look at court unification and give the various courts an opportunity to discuss a way that we can deliver justice in a cost-effective and efficient manner. We have many commissions that are leaders not only in the southeast but also in the nation—our committees and commissions on alternative dispute resolution and professionalism, our program on substance abuse and our Commission on Equality, and our foster care program. We thank you for your support of our attempts to address many issues that are coming before the courts.

Our Courts Automation Commission is doing all that it can within its power to address the increasing needs of technology. We continue to ask for your support of this very worthwhile effort. Our Administrative Office of the Courts is one of the best in the nation. We will continue to improve the way in which we administer justice.

Just recently we had over 2.3 million cases filed in the various courts of this state, excluding the traffic courts. We will need your additional help as we seek to deliver justice to all of the citizens of this state.

### **Visions and visionaries**

We have vision. We have a vision that one day the Supreme Court will become a cert court so that we can handle only the most pressing and important problems in the Supreme Court, and that our Court of Appeals will be adequately staffed so it can handle the problems that come before that court.

If we have been successful, we have been so not just because we have good chief justices, we also have good justices, good judges, good staff people, and good legislators to address the needs of this state. And as I recognize members of this body who have been outstanding leaders, I also realize that in order for us to be successful we must have outstanding jurists not only on the trial bench but also on the appellate bench. One of those justices is Presiding Justice Norman Fletcher. He and I came to the court together. He came from the mountains, and during his service he has been a monument for the protection of the rights of citizens and insuring that justice is delivered fairly and efficiently and effectively to all of our citizens.

We appreciate the judges and justices who have been willing to make the unpopular decisions and call it as they see it, and we express deep appreciation for all of our judges who have provided protection for all of the citizens in our state. But we don't have just good judges, we have good DAs in the state, we have good clerks, we have good lawyers, and we have good courthouse administrators to make sure that our court system is user-friendly.

So as we continue to administer justice, we remind you that our doors swing open on welcome hinges. But just because they swing open on welcome hinges, that doesn't mean that all problems can be solved in the courthouse. The courthouse is an avenue of last resort, not an avenue of first resort. The best solutions come across the dinner table, across the conference table, and across the backyard fence. So we ask you also to empower the communities to address problems in their own communities and reserve the most intractable problems for the judiciary.

On January 1 we celebrated the Emancipation Proclamation. As I was preparing to go to a celebration, my twelve-year-old son asked me, "Daddy, why is there so much fuss about freedom? What's so important about it?" I was somewhat shocked and surprised that my son would take freedom so lightly, and then I realized that he wasn't here during World War I. He didn't have to go from hedgerow to hedgerow in World War II. He didn't have to endure the cold of the Korean War. He can't even fathom the concept of the Vietnam War.

And so many of our young people never had to fight for their freedom. They so easily take it for granted. Freedom must be fought for, and so every day the judges of this state put on the armor of law, and they go out to slay the dragon of injustice, so that freedom is preserved for all of our citizens. We enjoy the role, and we will continue to fight for your freedom and for the rights of all of the citizens of this state.

As I come to an end, I look out and see the new legislators. If I started with a poem, I guess I'll just end with one. There's a poem by an unknown author which says:

*I have not lived in vain if I've lit some spark of hope in some helpless soul  
or helped some struggling brother or sister lift a heavy load.  
If I have shed a light in a darkened hour then I have not lived in vain.  
If we've erred as all men and women have and displeased the God from whence we came,  
but heard him say thou are forgiven, then our prayers have not been in vain.  
We put our heart and soul within our labor.  
We didn't strive to reach the hall of fame.  
We labored among the meek and the lowly.  
We've seen our fruits, our work has not been in vain.*

And now as I come to a close and return to the chambers from which we came, we do not fear nor dread this hour. All is well, for we have not lived in vain.

Mr. Lieutenant Governor, Mr. Speaker, that is the State of the Judiciary.



## Fiscal Year 1998 Highlights

### July 1997

Fiscal year begins with judicial branch budget of \$91,483,223 in state funds.

The County and Municipal Probation Advisory Council annual report shows an increase in the number of courts that use private probation services. The number of courts contracting for these services increased from 314 to 363 during fiscal year 1997, and number of cases supervised increased from 58,389 to 81,017.

### August 1997

The Georgia Commission on Family Violence releases *A Model Medical Protocol for Family Violence Incidents* at a press conference on August 4 in the Supreme Court courtroom. The protocol, developed by medical professionals and advocates for battered women, provides an overview of the procedures for universal screening, treatment and referral for victims of domestic violence. The new protocol will be made available to family violence task force chairs, shelter directors and medical associations throughout Georgia.

The Supreme Court Commission on Equality publishes a "Guide to Bias-Free Communication." The booklet offers suggestions for eliminating usages that reflect certain cultural biases. A training video produced by the commission in which actors display gender, racial and/or ethnic bias becomes available to help train judicial personnel in bias-free behavior.

### September 1997

The Supreme Court Commission on Equality holds a workshop for court interpreters on September 6. Fifty-five foreign language interpreters attend the one-day meeting designed to improve their professional skills and knowledge of court procedures.

The Georgia Commission on Family Violence hosts its fourth annual conference, "Creating Community Safety: Quality Interventions and Collaboration," on September 25 and 26. The 320 participants include members of family violence task forces, social services personnel, counselors, medical personnel, judges, law enforcement personnel, probation officers and commission members.

On September 11 and 25, the staff of the Tenth Judicial Administrative District and the Tenth District Superior Court Clerks Association come together for training seminars stressing the importance of quality customer service.

### October 1997

The Supreme Court Committee on Substance Abuse and the Courts begins operating a computerized on-line database of treatment providers. The database contains information on over 600 substance abuse treatment agencies and programs throughout Georgia. Treatment resources covered include day and outpatient treatment, short-term residential and long-term residential. Funding for the database comes from grant funds administered by the Criminal Justice Coordinating Council.

### November 1997

The Supreme Court Child Placement Project begins a statewide training program addressing the responsibilities of caseworkers, attorneys and judges involved in deprivation hearings.

### December 1997

The Judicial Council recommends creation of six additional superior court judgeships to Governor Miller and the General Assembly. The council also votes to carry forward a 1996 recommendation to divide the Blue Ridge Judicial Circuit (Cherokee and Forsyth counties) into two single-county circuits. A proposal to create a family court pilot project in Fulton County is approved.

The Bibb County Drug Court marks its fourth anniversary on December 15 with a graduation ceremony for 12 defendants completing the drug-treatment program. Chief Justice Benham, an early advocate of drug courts, praises the court for its "cutting-edge solution" to the problems caused by substance abuse.

### January 1998

Chief Justice Robert Benham delivers the State of the Judiciary Address to the General Assembly. Justice Benham thanks the legislature for its moral and financial support of the judicial branch. He reviews current initiatives and discusses areas of concern such as resources, judicial independence, technology and modernization, access to the courts, fairness and diversity in the courts, and community involvement.

## Fiscal Year 1998 Highlights

### January 1998 *continued*

Effective January 1, 1998, all candidates qualifying to run for any judicial office in the state, including incumbent judges, become subject to new Judicial Qualifications Commission requirements governing political conduct. Among other things, a Rule directs the commission chair to appoint in every election year a special committee whose responsibility is to deal fairly and expeditiously with allegations of ethical misconduct in campaigns for judicial office. In addition, all candidates for judicial office are required to forward notice of their candidacy to the Judicial Qualifications Commission within 10 days of formally announcing and/or officially qualifying for election or re-election.

### February 1998

Gwinnett County introduces a computerized system allowing magistrate judges to issue warrants via video-conferencing and electronic transmission of signatures. Approved as a demonstration project by the Supreme Court, this is a joint effort of the Gwinnett County Administrative Office of the Courts, Magistrate Court, and Police Department.

Fourteen judges with juvenile court jurisdiction meet to complete work on judicial guidelines for child deprivation cases at a Judicial Responsibility Workshop on February 6 and 7. The workshop was sponsored jointly by the Supreme Court Child Placement Project and the Council of Juvenile Court Judges. Development of deprivation case guidelines was a recommendation of the *Final Report of the Georgia Supreme Court Child Placement Project*.

### March 1998

The 1998 Session of the General Assembly ends with passage of a bill creating six new superior court judgeships. The measure gives the Atlanta Judicial Circuit two additional superior court judgeships. The Douglas, Ocmulgee, Gwinnett and Stone Mountain Judicial Circuits will add one judgeship each. Bills to create a family court pilot project in Fulton County and a forty-seventh judicial circuit, the Bell-Forsyth Judicial Circuit, also pass. Local bills create new state courts in Henry and Bacon counties.

The Georgia Courts Automation Commission installs a state-of-the-art evidence presentation system in the Stone Mountain Judicial Circuit Superior Court. The system allows attorneys to present evidence over monitors located at the judge's bench, the podium, both counsel tables, the jury box and gallery.

### April 1998

The Rockdale County Integrated Court Management System is recognized as the year's most innovative program for the administration of justice. The computer information system links local courts and court-related agencies, allowing them to share data. The award was presented by the Georgia Council of Court Administrators on April 6.

Judge Isaac Jenrette of the Fulton County Drug Court holds court at Therrell High School, a law and government magnet school in southwest Atlanta. The visit to Therrell High School launches the "Court in School" program sponsored by the Supreme Court. This ongoing program is designed to provide middle and high school students with a better knowledge of the state's laws and judicial system.

### May 1998

The Fulton Drug Court begins operating Hope Hall, a substance abuse treatment center designed to provide counseling, treatment and supervision services to drug court defendants. The program's goal is to furnish each drug offender assigned to Hope Hall with the following: basic tools that will assist in overcoming the disease of drug addiction; a structured learning environment which includes intensive individual and group sessions; detailed information concerning financial, health and basic living skills; meaningful job assistance and placement; assistance in becoming a respectful, self-supporting, law-abiding, and tax-paying citizen.

### June 1998

The Judicial Council meets on June 11 and votes to begin the court system's annual case count for 1999 and subsequent years earlier in the calendar year. Chief Justice Robert Benham appoints a Judicial Council committee to study the future of the case count.

The Judicial Qualifications Commission celebrates its silver anniversary on June 26, almost 25 years to the day after its inception. The invitation list includes all former and present commission members and staff. Special guests include justices of the Supreme Court.

### State Appropriations for the Judicial Branch: Fiscal Years 1997, 1998 and 1999

Budget Unit/Agency	FY 1997 Amended Appropriation	FY 1998 Amended Appropriation	Percent Change FY 97-98	FY 1999 General Appropriation	Percent Change FY 98-99
Supreme Court	\$5,965,631	\$6,229,503	4.4%	\$6,244,683	0.2%
Court of Appeals	7,834,049	7,995,875	2.1%	8,451,549	5.7%
Superior Courts (Total)	64,926,812	65,012,314	0.1%	69,786,932	7.3%
Superior Court Judges	33,817,637	32,981,129	-2.5%	37,348,248	13.2%
District Attorneys	26,907,426	27,396,537	1.8%	27,241,824	-0.6%
Council of Superior Court Judges	530,075	542,257	2.3%	597,561	10.2%
Judicial Administrative Districts	1,346,564	1,624,344	20.6%	1,576,573	-2.9%
Prosecuting Attorneys' Council	2,325,110	2,468,047	6.1%	3,022,726	22.5%
Council of Juvenile Court Judges	1,093,172	1,209,812	10.7%	1,279,908	5.8%
Institute of Continuing Judicial Education (Total)	758,378	783,635	3.3%	832,114	6.2%
Operations	590,306	610,017	3.3%	660,017	8.2%
Magistrate Courts Training Council	151,788	156,797	3.3%	153,953	-1.8%
Municipal Courts Training Council	16,284	16,821	3.3%	18,144	7.9%
Judicial Council (Total)	2,026,094	2,660,320	31.3%	5,181,499	94.8%
Operations	1,440,558	1,800,311	25.0%	4,048,433	124.9%
Board of Court Reporting	78,211	86,074	10.1%	91,626	6.5%
Case Counting	76,500	76,500	0.0%	116,500	52.3%
Council of Magistrate Court Judges	21,385	23,185	8.4%	26,750	15.4%
Council of Probate Court Judges	58,700	58,900	0.3%	16,950	-71.2%
Council of State Court Judges	24,500	37,350	52.4%	77,777	108.2%
Council of Superior Court Clerks	26,240	38,000	44.8%	40,500	6.6%
BASICS	-	150,000	100.0%	150,000	0.0%
Commission on Family Violence	-	90,000	100.0%	112,963	25.5%
Appellate Resource Center	300,000	300,000	0.0%	500,000	66.7%
Judicial Qualifications Commission	168,197	166,364	-1.1%	166,759	0.2%
Indigent Defense Council	3,000,000	4,284,487	42.8%	4,749,709	10.9%
Georgia Courts Automation Commission (Total)	1,998,906	2,294,186	14.8%	2,775,106	21.0%
Operations	1,315,106	1,594,186	21.2%	2,034,106	27.6%
Statewide County Computerized Network	683,800	700,000	2.4%	741,000	5.9%
Georgia Office of Dispute Resolution	249,068	258,864	3.9%	270,391	4.5%
<b>Judicial Branch Totals</b>	<b>\$88,020,307</b>	<b>\$90,895,360</b>	<b>3.3%</b>	<b>\$99,738,650</b>	<b>9.7%</b>

## Appropriations

The total state budget rose by 5 percent for fiscal year 1998; appropriations to the judicial branch increased by 8.9 percent.

## State Judicial Branch Budget Units: Funds Available and Expenditures Fiscal Year 1998

	Supreme Court	Court of Appeals	Superior Courts	Council of Juvenile Court Judges	Institute of Continuing Judicial Education	Judicial Council	Judicial Qualifications Commission	Indigent Defense Council	Georgia Courts Automation Commission	Office of Dispute Resolution	Total
<b>Funds Available</b>											
General	\$6,229,503	\$7,995,875	\$65,012,314	\$1,209,812	\$783,635	\$2,278,770	\$166,364	\$4,284,487	\$2,294,186	\$258,864	\$90,513,810
Supplemental	0	0	0	0	0	381,550	0	0	0	0	381,550
Total State Funds	6,229,503	7,995,875	65,012,314	1,209,812	783,635	2,660,320	166,364	4,284,487	2,294,186	258,864	90,895,360
Federal Funds	386,868	0	1,934,873	142,617	0	0	0	9,555	374,666	0	2,848,579
Other Funds	837,934	121,172	1,710,191	0	112,862	174,286	25	4,842,557	0	6,802	7,805,829
Transfers to\from Functional Budgets	0	0	0	0	0	0	0	0	0	0	0
<b>Total Funds Available</b>	<b>\$7,454,305</b>	<b>\$8,117,047</b>	<b>\$68,657,378</b>	<b>\$1,352,429</b>	<b>\$896,497</b>	<b>\$2,834,606</b>	<b>\$166,389</b>	<b>\$9,136,599</b>	<b>\$2,668,852</b>	<b>\$265,666</b>	<b>\$101,549,768</b>
<b>Expenditures</b>											
Personal Services	\$5,447,352	\$7,238,885	\$58,906,829	\$683,279	\$0	\$1,517,059	\$85,132	\$1,443,601	\$477,270	\$197,973	\$75,997,380
Regular Operating Expenses	691,155	202,434	6,929,227	387,682	289,677	649,177	31,362	4,716,169	174,952	15,554	14,087,389
Travel	54,049	20,315	453,641	38,769	0	23,386	856	65,417	44,171	2,660	703,264
Equipment Purchases	68,466	18,938	40,851	7,682	13,744	20,527	0	78,690	8,384	286	257,568
Computer Charges	277,159	135,668	222,270	108,961	12,588	69,713	4,360	62,375	1,725,893	2,217	2,621,204
Real Estate Rentals	335,891	245,024	24,463	41,730	0	37,611	6,439	118,777	25,588	28,679	864,202
Telecommunications	58,505	40,860	273,599	10,372	0	19,840	1,305	33,763	54,308	814	493,366
Per Diem, Fees & Contracts	627,985	136,278	940,624	73,925	580,404	403,917	5,618	58,557	198,089	15,032	3,040,429
<b>Total Expenditures</b>	<b>\$7,560,562</b>	<b>\$8,038,402</b>	<b>\$67,791,504</b>	<b>\$1,352,400</b>	<b>\$896,413</b>	<b>\$2,741,230</b>	<b>\$135,072</b>	<b>\$6,577,349</b>	<b>\$2,708,655</b>	<b>\$263,215</b>	<b>\$98,064,802</b>

### Five-Year Comparison of State Judicial Budget (1995-1999)

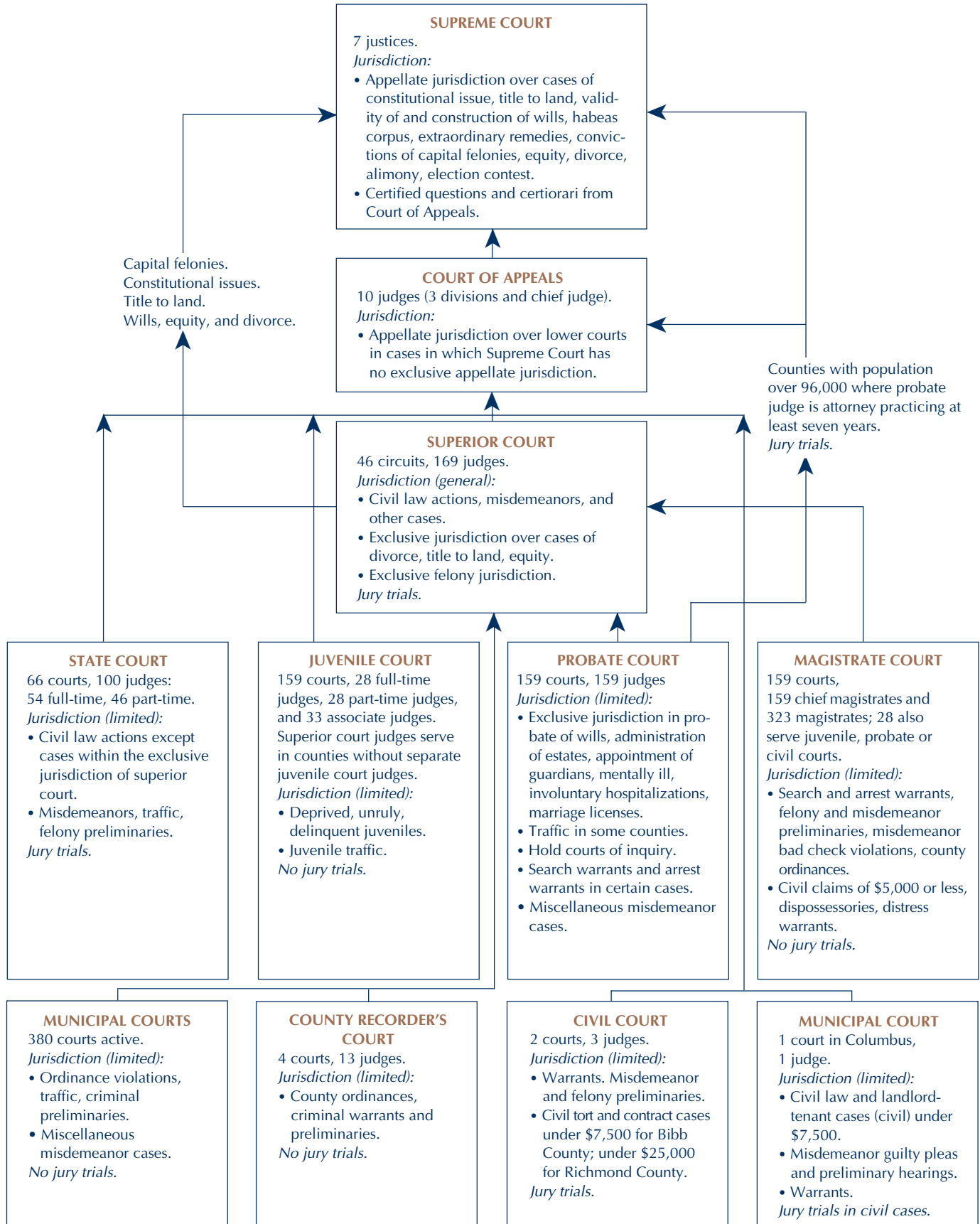
Fiscal Year	Total State Appropriation	Percent Change	Judicial Appropriation	Percent Change	Percent of State Budget
1995	\$10,236,138,444	11.2%	\$68,281,297	7.2%	0.67%
1996	\$10,980,393,127	7.3%	\$78,549,681	15.0%	0.72%
1997	\$11,793,346,344	7.4%	\$83,819,244	6.7%	0.71%
1998	\$12,380,991,546	5.0%	\$90,895,360	8.9%	0.73%
1999	\$12,528,603,880	1.2%	\$99,738,650	8.2%	0.80%

Note: The fiscal year 1999 Judicial Appropriation does not include any supplemental budget additions.



# Georgia Court System: June 30, 1998

(showing appellate routes)



## Georgia's Judicial Districts, Circuits and Counties

# THE COURTS



## Supreme Court

**T**he Supreme Court of Georgia has exclusive appellate jurisdiction in the following matters: cases involving the construction of a treaty or of the Georgia or U.S. Constitution; the constitutionality of a law, ordinance or constitutional provision; and election contests. The state constitution gives the Supreme Court jurisdiction of all cases involving title to land, equity, wills, habeas corpus, extraordinary remedies (mandamus, prohibition, quo warranto, etc.), divorce and alimony, all cases certified to it by the Court of Appeals of Georgia and all cases in which a sentence of death was imposed or could be imposed. The Supreme Court may answer any question of law from any state or federal appellate court and may review by certiorari cases in the Court of Appeals of Georgia which are of great public importance.

Terms of court begin in January, April and September. Oral arguments are heard each month, except in August and December. The constitution provides that all cases shall be decided no later than the term following the term to which the case is docketed.

Cases are assigned in rotation to the justices for preparation of opinions and decisions of the whole court. When a justice prepares an opinion, it is circulated for study to the other justices and after discussion *en banc* the opinion is adopted or rejected by a majority of the justices. If a justice is unable to serve or is disqualified in a particular case, a substitute judge for that case may be designated by the remaining justices.

The justices are elected to six-year terms in statewide, nonpartisan elections. A candidate for Supreme Court justice must have been admitted to practice law for at least seven years prior to assuming office. Any vacancy on the court is filled either by election or by gubernatorial appointment to complete the unexpired term. The justices elect a chief justice and a presiding justice to serve for specified terms.

Each justice has three full-time staff members: two attorneys and one administrative assistant. The attorneys assist in legal research and preparation of opinions.

The Supreme Court clerk, appointed by the justices for a six-year term, is the administrative officer of the court. The clerk has charge of the court's records and keeps its minutes. The opinions of the Supreme Court are published by the official reporter who is also appointed by the court.

The Supreme Court has authority to promulgate orders needed to carry out its functions and has rule-making authority for the superior, state, juvenile, probate and magistrate courts. The chief justice serves as chair of the Judicial Council of Georgia, the state-level judicial agency charged with developing policies for administering and improving the courts. The Administrative Office of the Courts, the Office of Bar Admissions, the Office of Dispute Resolution, the State Bar of Georgia, the Chief Justice's Commission on Professionalism, and the Office of Commissions and Programs assist the Supreme Court in its function and duties.

## Supreme Court Caseload: 1996 and 1997

Filed	1996	1997	Disposed	1996	1997
Direct appeals	536 <sup>1</sup>	525 <sup>2</sup>	By opinion	404 <sup>3</sup>	364 <sup>7</sup>
Petitions for certiorari	687	665	Affirmed without opinion (Rule 59)	26	10
Applications for appeal			Stricken from docket	17	3
Habeas corpus	283	362	Allowed withdrawn	33	24
Discretionary	203	239	Transferred to the Court of Appeals	108 <sup>4</sup>	83 <sup>8</sup>
Interlocutory	52	70	Appeals dismissed	99	108
Interim review (death penalty)	13	2	Petitions for certiorari		
Attorney disciplinarys	158	210	Denied	653	514
Original petitions/motions	3	6	Granted	45 <sup>5</sup>	59 <sup>9</sup>
Certified questions	7	7	Dismissed	26	20
Bar admissions	13	11	Withdrawn	6	12
Judicial qualifications	1	1	Writ vacated	12	1
Emergency motion	19	20	Habeas corpus applications		
<b>Total</b>	<b>1,975</b>	<b>2,119</b>	Denied	254	245
			Granted	2	1
			Dismissed	2	5
			Remanded	3	4
			Discretionary applications		
			Denied	126	149
			Granted	32	32
			Dismissed	14	32
			Transferred to Court of Appeals	21	15
			Interim review (death penalty)		
			Denied	9	3
			Granted	1	-
			Remanded	1	-
			Stricken from Docket	1	-
			Interlocutory applications		
			Denied	22	24
			Granted	13	15
			Dismissed	4	4
			Transferred to Court of Appeals	4	17
			Withdrawn	1	1
			Emergency motions		
			Denied	13	11
			Granted	4	2
			Bar admissions	11	11
			Judicial qualifications	1	-
			Attorney discipline	164 <sup>6</sup>	150
			<b>Total</b>	<b>2,132</b>	<b>1,919</b>

<sup>1</sup> Includes 12 cross-appeals and 1 granted application for interim review.

<sup>2</sup> Includes 16 cross-appeals and 1 granted application for interim review.

<sup>3</sup> In 1996, 399 appeals and 57 granted writs of certiorari were disposed of by 404 written opinions.

<sup>4</sup> Includes 10 cases that were returned to the Court of Appeals.

<sup>5</sup> Includes 3 writs granted and remanded to the Court of Appeals, and 3 granted with the notice of appeal directed to this court.

<sup>6</sup> Includes 6 replacement special master appointments.

<sup>7</sup> In 1997, 376 appeals and 38 granted writs of certiorari were disposed of by 364 written opinions.

<sup>8</sup> Includes 4 cases that were returned to the Court of Appeals.

<sup>9</sup> Includes 1 writ granted and remanded to the Court of Appeals, and 3 granted with the notice of appeal directed to this court.



## Court of Appeals

**T**he Court of Appeals of Georgia has constitutional jurisdiction over appeals from superior, state and juvenile courts in all cases where exclusive or general jurisdiction is not reserved to the Supreme Court of Georgia. These cases include civil claims for damages, child custody cases, workers' compensation and other administrative law cases and all criminal cases other than capital felonies. The court may also certify legal questions to the Supreme Court.

Since its creation in 1907, the Court of Appeals has had nine authorized judgeships. In 1996, recognizing the court's heavy workload, the General Assembly created a tenth judgeship for the Court of Appeals. The chief judge, usually the most senior member of the court who has not served as chief judge, is elected by the court to a two-year term and is responsible for the administration of the court. The chief judge names judges to panels each year, and appoints three presiding judges, usually the most senior, to head each panel. The chief judge and the presiding judges form the executive council to handle certain administrative matters.

Panel decisions are final unless there is a dissent. When a judge dissents, the case is decided by a combined panel of judges. The court may also have all 10 judges decide the case. If after a review by the full court the judges are equally divided, the case is transferred to the Supreme Court for decision.

Court of Appeals judges are elected to nonconcurrent, six-year terms in statewide, nonpartisan elections. A candidate for judgeship must have been admitted to practice law for at least seven years prior to assuming office. In the event of vacancies, the governor appoints successors to complete unexpired terms.

The court has terms beginning in September, January and April. The Georgia Constitution provides that all cases shall be decided no later than the term following the term to which a case is docketed (the "two term" rule) or the case shall be affirmed by operation of law. It is believed that no case has ever been so affirmed.

The Court of Appeals has a clerk/court administrator appointed by the court to handle administrative matters and court records. The opinions of the Court of Appeals are published by the official reporter.

### Court of Appeals Caseload: 1996 and 1997

Filed	1996	1997	Disposed	1996	1997
Appeals	2,546	2,596	Appeals		
Discretionary applications	483	479	By opinion	1,805	1,875
Interlocutory applications	421	438	By order	618	567
			Rule 36	91	57
<b>Total</b>	<b>3,450</b>	<b>3,513</b>	Total	2,514	2,499
			Discretionary applications		
			Granted	100	91
			Denied	278	316
			Dismissed	85	56
			Transferred to Supreme Court	13	13
			Withdrawn	7	1
			Total	483	477
			Interlocutory applications		
			Granted	109	92
			Denied	242	261
			Dismissed	57	54
			Transferred to Supreme Court	3	4
			Withdrawn	3	4
			Total	414	415
			<b>Total</b>	<b>3,411</b>	<b>3,391</b>

## Superior Courts

**S**uperior court is Georgia's general jurisdiction trial court. The court has exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land. The superior court corrects errors made by lower courts by issuing writs of certiorari; for some lower courts, the right to direct review by the superior court applies.

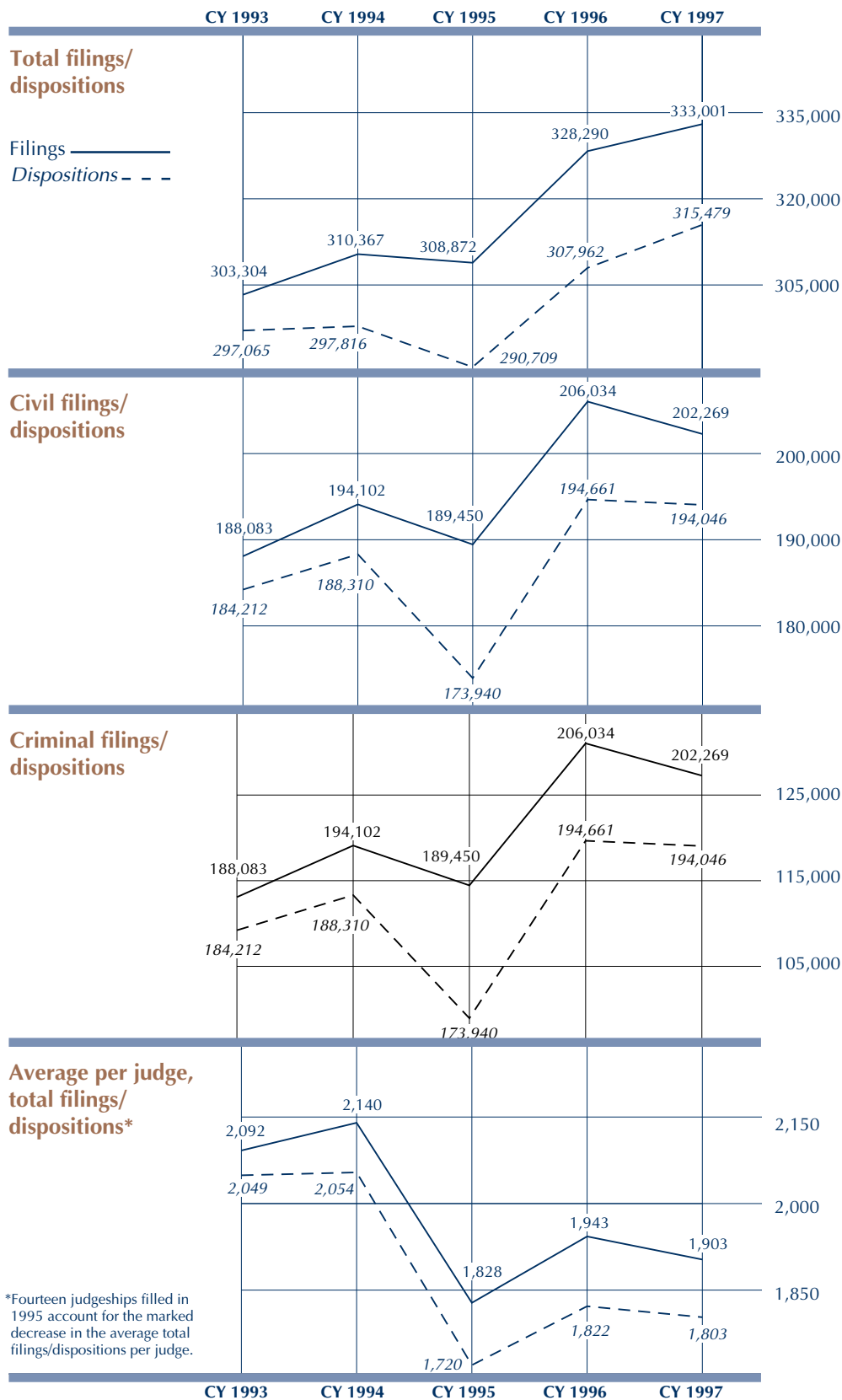
Each county has its own superior court. The courts are organized into 46 judicial circuits, each created by the General Assembly. The number of superior court judges per circuit ranges from two to 15 judges. A chief judge handles the administrative tasks for each circuit. As of June 30, 1998, 169 judges serve in Georgia's 159 superior courts.

Superior court judges are elected to four-year terms in nonpartisan, circuit-wide races. To qualify as a superior court judge, a candidate must be at least 30 years old, be a citizen of Georgia for at least three years, and have practiced law for at least seven years. Superior court judges who have retired and taken senior status may hear cases in any circuit at the request of a local judge, an administrative judge or the governor.

The Judicial Administration Act of 1976 grouped the superior court circuits into 10 judicial administrative districts composed of from one to 27 counties. An administrative judge for each district has statutory authority to compile caseload data and to assign superior court judges, with their approval, to serve temporarily in other counties and circuits as needed. (Please see page 63 for more information on judicial administrative districts.)

*Graphs on page 19 show superior court filing and disposition trends for calendar years 1993 through 1997. Caseload data for calendar year 1997 are presented on pages 20 and 21.*

## Superior Court Filing and Disposition Trends, 1993-1997





## Superior Court Caseload, Calendar Year 1997 (docket entries)

Circuit	# of Judges	Total Criminal		Felony		Misdemeanor		Probation Revocation	
		Filed	Disposed	Filed	Disposed	Filed	Disposed	Filed	Disposed
Alapaha	2	3,941	4,181	1,161	1,457	2,711	2,655	69	69
Alcovy	3	3,568	4,260	1,241	1,465	1,379	1,868	948	927
Appalachian	2	1,808	1,817	535	534	896	906	377	377
Atlanta	17	16,061	8,803	12,287	5,102	136	63	3,638	3,638
Atlantic	4	968	1,031	759	824	21	23	188	184
Augusta	7	4,171	4,473	2,201	2,787	1,033	927	937	759
Blue Ridge	3	1,387	1,367	948	928	55	55	384	384
Brunswick	4	2,523	2,456	1,799	1,817	446	361	278	278
Chattahoochee	5	3,195	3,214	2,116	2,146	651	640	428	428
Cherokee	3	2,576	2,504	846	803	652	658	1,078	1,043
Clayton	4	3,252	3,167	2,332	2,269	95	73	825	825
Cobb	8	6,345	5,978	4,288	4,172	219	206	1,838	1,600
Conasauga	4	2,332	2,315	861	836	980	988	491	491
Cordele	2	1,796	1,871	636	639	564	504	596	728
Coweta	5	2,857	2,723	2,141	2,019	275	263	441	441
Dougherty	3	2,503	2,252	1,514	1,270	307	300	682	682
Douglas	3	2,711	2,327	954	942	1,216	1,011	541	374
Dublin	2	2,060	1,875	1,039	968	790	676	231	231
Eastern	6	3,446	3,475	2,476	2,587	79	82	891	806
Enotah	2	1,237	1,100	505	433	540	487	192	180
Flint	3	2,156	2,041	1,140	1,020	626	632	390	389
Griffin	4	2,806	3,240	1,767	1,910	486	777	553	553
Gwinnett	7	3,480	2,686	2,267	1,624	2	2	1,211	1,060
Houston	2	1,423	2,191	940	1,250	224	682	259	259
Lookout Mountain	4	2,972	2,476	1,141	1,049	1,142	1,025	689	402
Macon	5	3,518	3,718	1,751	2,092	182	186	1,585	1,440
Middle	2	1,413	1,356	1,089	1,032	3	3	321	321
Mountain	2	1,132	1,133	486	500	301	299	345	334
Northeastern	3	2,793	2,579	1,682	1,554	440	374	671	651
Northern	3	1,706	1,740	853	864	294	317	559	559
Ocmulgee	5	4,107	3,956	1,843	1,724	1,040	1,008	1,224	1,224
Oconee	2	1,452	1,492	629	620	547	594	276	278
Ogeechee	3	1,497	1,558	1,106	1,186	36	35	355	337
Pataula	2	1,697	1,756	830	852	623	670	244	234
Piedmont	3	1,728	1,753	682	690	668	685	378	378
Rockdale	2	1,089	1,070	642	658	69	66	378	346
Rome	3	3,667	3,421	837	902	2,093	1,782	737	737
South Georgia	2	1,196	1,130	563	549	220	175	413	406
Southern	4	3,381	3,019	2,102	1,754	679	665	600	600
Southwestern	2	2,250	2,047	525	512	881	691	844	844
Stone Mountain	10	8,781	7,877	6,059	5,155	0	0	2,722	2,722
Tallapoosa	3	2,420	2,233	699	586	1,168	1,102	553	545
Tifton	2	1,039	880	569	463	197	156	273	261
Toombs	2	1,534	1,698	448	480	800	932	286	286
Waycross	3	1,547	1,641	907	1,076	255	206	385	359
Western	3	1,211	1,553	811	1,167	145	176	255	210
<b>Total</b>	<b>169</b>	<b>130,732</b>	<b>121,433</b>	<b>73,007</b>	<b>65,267</b>	<b>26,166</b>	<b>25,986</b>	<b>31,559</b>	<b>30,180</b>
<b>Average per Judge</b>		<b>774</b>	<b>719</b>	<b>432</b>	<b>386</b>	<b>155</b>	<b>154</b>	<b>187</b>	<b>179</b>

## Superior Court Caseload, Calendar Year 1997 (docket entries)

Total Civil Filed	Civil Disposed	General Civil Filed	General Civil Disposed	Domestic Relations Filed	Domestic Relations Disposed	Total Caseload Filed	Total Caseload Disposed	Total Open Caseload	Circuit
2,048	2,016	788	802	1,260	1,214	5,989	6,197	3,250	Alapaha
4,202	4,112	1,661	1,653	2,541	2,459	7,770	8,372	4,053	Alcovy
1,897	1,840	843	805	1,054	1,035	3,705	3,657	2,527	Appalachian
11,503	10,602	3,403	3,635	8,100	6,967	27,564	19,405	12,273	Atlanta
3,507	3,420	1,133	1,050	2,374	2,370	4,475	4,451	1,573	Atlantic
7,901	7,678	2,160	1,937	5,741	5,741	12,072	12,151	8,017	Augusta
3,832	3,463	866	736	2,966	2,727	5,219	4,830	2,783	Blue Ridge
4,429	4,163	1,424	1,246	3,005	2,917	6,952	6,619	2,330	Brunswick
6,086	5,628	2,327	2,110	3,759	3,518	9,281	8,842	5,515	Chattahoochee
3,993	3,470	1,766	1,497	2,227	1,973	6,569	5,974	3,529	Cherokee
4,559	3,770	672	612	3,887	3,158	7,811	6,937	3,248	Clayton
10,265	8,608	1,936	1,471	8,329	7,137	16,610	14,586	8,677	Cobb
4,209	3,999	1,508	1,376	2,701	2,623	6,541	6,314	3,381	Conasauga
2,761	2,763	1,053	1,082	1,708	1,681	4,557	4,634	865	Cordele
6,251	5,779	1,718	1,501	4,533	4,278	9,108	8,502	4,178	Coweta
3,130	3,034	991	975	2,139	2,059	5,633	5,286	1,877	Dougherty
3,572	3,563	1,858	1,783	1,714	1,780	6,283	5,890	3,273	Douglas
2,804	2,838	846	875	1,958	1,963	4,864	4,713	1,583	Dublin
5,874	5,690	1,719	1,557	4,155	4,133	9,320	9,165	4,199	Eastern
2,232	2,096	849	789	1,383	1,307	3,469	3,196	1,206	Enotah
5,517	4,424	2,541	1,843	2,976	2,581	7,673	6,465	5,270	Flint
5,424	4,836	1,712	1,620	3,712	3,216	8,230	8,076	4,849	Griffin
9,731	9,775	3,259	3,180	6,472	6,595	13,211	12,461	4,720	Gwinnett
2,240	2,645	538	732	1,702	1,913	3,663	4,836	1,897	Houston
4,908	4,713	1,098	1,081	3,810	3,632	7,880	7,189	3,228	Lookout Mountain
5,643	4,799	1,587	1,559	4,056	3,240	9,161	8,517	5,031	Macon
2,525	2,019	802	554	1,723	1,465	3,938	3,375	2,820	Middle
2,310	2,232	709	669	1,601	1,563	3,442	3,365	821	Mountain
3,363	3,243	967	900	2,396	2,343	6,156	5,822	2,342	Northeastern
3,134	3,021	1,014	930	2,120	2,091	4,840	4,761	3,160	Northern
4,677	4,646	1,664	1,582	3,013	3,064	8,784	8,602	1,915	Ocmulgee
2,679	2,704	897	934	1,782	1,770	4,131	4,196	643	Oconee
5,000	4,895	897	892	4,103	4,003	6,497	6,453	1,522	Ogeechee
2,243	2,109	849	710	1,394	1,399	3,940	3,865	717	Pataula
3,111	2,921	1,174	1,154	1,937	1,767	4,839	4,674	2,311	Piedmont
1,905	1,964	580	587	1,325	1,377	2,994	3,034	1,101	Rockdale
3,176	3,391	1,299	1,279	1,877	2,112	6,843	6,812	2,792	Rome
2,444	2,801	887	819	1,557	1,982	3,640	3,931	1,117	South Georgia
5,712	6,227	1,828	1,887	3,884	4,340	9,093	9,246	4,145	Southern
1,868	1,803	1,161	1,051	707	752	4,118	3,850	2,411	Southwestern
13,883	14,536	2,025	1,935	11,858	12,601	22,664	22,413	10,395	Stone Mountain
3,987	3,738	1,741	1,609	2,246	2,129	6,407	5,971	3,426	Tallapoosa
3,187	3,447	923	932	2,264	2,515	4,226	4,327	1,861	Tifton
2,136	2,202	707	696	1,429	1,506	3,670	3,900	1,327	Toombs
3,466	3,510	1,313	1,311	2,153	2,199	5,013	5,151	2,438	Waycross
2,945	2,913	1,123	1,052	1,822	1,861	4,156	4,466	2,046	Western
<b>202,269</b>	<b>194,046</b>	<b>62,816</b>	<b>58,990</b>	<b>139,453</b>	<b>135,056</b>	<b>333,001</b>	<b>315,479</b>	<b>152,642</b>	<b>Total</b>
<b>1,197</b>	<b>1,148</b>	<b>372</b>	<b>349</b>	<b>825</b>	<b>799</b>	<b>1,970</b>	<b>1,867</b>	<b>903</b>	<b>Average per Judge</b>

## State Courts

**I**n 1970, an act of the legislature established the state court system by designating certain already existing countywide courts of limited jurisdiction as state courts. State courts may exercise jurisdiction over all misdemeanor violations, including traffic cases, and all civil actions, regardless of the amount claimed, unless the superior court has exclusive jurisdiction.

State courts are authorized to hold hearings on applications for and issuance of search and arrest warrants and to hold preliminary hearings. The Georgia Constitution grants state courts authority to review lower court decisions as provided by statute.

The General Assembly creates new state courts by local legislation. Legislation creating a state court also establishes the number of judges and whether the judges are to be full- or part-time. Part-time judges may practice law, except in their own courts.

In fiscal year 1998, state courts heard cases in 66 of Georgia's 159 counties. Of the 100 authorized judgeships, 54 are full-time and 46 are part-time.

State court judges are elected to four-year terms in nonpartisan, countywide elections. Candidates must be at least 25 years old, have been admitted to practice law for at least five years, and have lived in the state for at least three years.

*Filings and dispositions are presented for those  
state courts submitting caseload data  
to the Administrative Office of the Courts.*

**State Court Caseload, Calendar Year 1997**  
**(criminal - number of defendants; civil - number of dockets)**

County	Misdemeanor			Traffic			Civil			Total		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Appling	*	*	*	*	*	*	*	*	*	*	*	*
Baldwin <sup>1</sup>	1,102	986	175	4,957	4,815	249	93	65	41	6,152	5,866	465
Bibb <sup>1</sup>	7,660	7,114	2,731	4,866	3,517	2,009	1,465	1,186	2,838	13,991	11,817	7,578
Brooks <sup>1</sup>	303	256	47	3,915	3,742	173	17	6	11	4,235	4,004	231
Bryan	429	158	1,233	5,354	6,020	6,200	143	12	42	5,926	6,190	7,475
Bulloch <sup>2</sup>	723	N/A	N/A	8,980	N/A	N/A	476	N/A	N/A	10,179	N/A	N/A
Burke <sup>3</sup>	-	-	-	3,250	2,787	1,526	216	115	198	3,466	2,902	1,724
Candler <sup>1</sup>	107	105	2	2,143	2,437	14	129	125	130	2,379	2,667	146
Carroll <sup>1</sup>	515	492	20	6,919	4,572	1,951	861	792	686	8,295	5,856	2,657
Chatham	3,186	3,235	3,395	2,015	2,343	2,058	3,662	3,411	2,570	8,863	9,899	8,023
Chattooga	*	*	*	*	*	*	*	*	*	*	*	*
Cherokee <sup>1</sup>	3,129	3,508	1,248	12,341	12,285	1,586	1,342	1,520	1,241	16,812	17,313	4,075
Clarke	1,316	929	1,136	0	0	0	796	449	449	2,112	1,378	1,585
Clayton <sup>1</sup>	14,339	14,952	6,567	23,314	23,206	3,709	6,151	6,727	1,193	43,804	44,885	11,469
Clinch <sup>1</sup>	255	213	42	1,663	1,645	18	40	31	9	1,958	1,889	69
Cobb <sup>4</sup>	5,954	8,870	N/A	85,876	74,775	N/A	24,236	19,251	N/A	116,066	102,896	0
Coffee <sup>1</sup>	300	91	209	4,232	3,270	962	202	128	74	4,734	3,489	1,245
Colquitt <sup>1</sup>	1,000	737	298	3,611	3,386	281	194	105	74	4,805	4,228	653
Coweta	*	*	*	*	*	*	*	*	*	*	*	*
Decatur <sup>1</sup>	837	812	25	2,304	2,207	97	140	90	50	3,281	3,109	172
DeKalb <sup>5</sup>	8,303	8,899	-	4,655	2,988	4,076	50,323	51,219	9,869	63,281	63,106	13,945
Dougherty	3,676	3,304	372	7,620	7,387	233	1,167	980	187	12,463	11,671	792
Early <sup>1</sup>	336	312	24	1,395	1,343	52	57	49	8	1,788	1,704	84
Effingham <sup>1</sup>	767	607	160	3,093	2,704	389	357	306	51	4,217	3,617	600
Elbert	757	755	2	1,372	1,146	226	94	54	40	2,223	1,955	268
Emanuel	*	*	*	*	*	*	*	*	*	*	*	*
Evans <sup>1</sup>	84	71	13	1,134	941	193	103	88	15	1,321	1,100	221
Fayette	*	*	*	*	*	*	*	*	*	*	*	*
Forsyth	1,433	1,102	556	7,747	6,087	2,083	697	390	381	9,877	7,579	3,020
Fulton <sup>1, 6</sup>	26,309	N/A	N/A	0	0	0	42,886	38,860	N/A	69,195	38,860	N/A
Glynn <sup>1, 3</sup>	-	-	-	14,043	13,168	875	570	395	175	14,613	13,563	1,050
Grady	264	216	48	1,855	1,751	104	147	116	31	2,266	2,083	183
Gwinnett	5,225	5,478	1,555	0	0	0	7,352	7,066	4,645	12,577	12,544	6,200
Habersham <sup>1</sup>	1,897	1,875	22	3,796	3,596	200	138	106	32	5,831	5,577	254
Hall <sup>1</sup>	7,573	6,937	2,043	8,419	8,093	114	1,391	1,310	299	17,383	16,340	2,456
Houston <sup>1</sup>	1,736	1,949	241	10,398	10,525	396	661	729	620	12,795	13,203	1,257
Jackson <sup>1, 3</sup>	-	-	-	3,913	3,650	257	250	190	60	4,163	3,840	317
JeffDavis	296	243	53	1,043	925	118	83	59	24	1,422	1,227	195
Jefferson	341	326	25	1,297	1,247	50	112	89	82	1,750	1,662	157
Jenkins	141	89	52	1,699	1,625	74	83	62	21	1,923	1,776	147
Liberty <sup>1</sup>	9,636	9,443	193	5,227	5,086	141	302	263	39	15,165	14,792	373
Long	*	*	*	*	*	*	*	*	*	*	*	*
Lowndes <sup>3</sup>	-	-	-	33,953	33,852	101	1,075	1,012	229	35,028	34,864	330
McIntosh <sup>7</sup>	851	856	168	5,800	5,323	1,721	22	2	22	6,673	6,181	1,911
Miller <sup>1</sup>	254	238	16	1,740	1,669	71	25	13	12	2,019	1,920	99
Mitchell <sup>1</sup>	404	374	30	2,789	2,605	184	61	25	36	3,254	3,004	250
Muscogee <sup>8</sup>	3,980	3,667	313	3,666	3,406	260	-	-	-	7,646	7,073	573
Pierce	*	*	*	*	*	*	*	*	*	*	*	*
Putnam <sup>7</sup>	338	243	95	1,721	1,595	126	0	0	0	2,059	1,838	221
Richmond <sup>1, 9</sup>	6,701	4,934	1,767	36,424	30,732	5,692	1,913	784	683	45,038	36,450	8,142
Rockdale	2,764	2,902	1,294	8,686	9,597	876	552	414	513	12,002	12,913	2,683
Screven <sup>1</sup>	433	380	53	2,011	1,908	103	88	58	30	2,532	2,346	186
Spalding <sup>1</sup>	1,209	1,189	400	6,854	6,740	2,267	479	397	529	8,542	8,326	3,196
Stephens	535	392	143	1,632	1,253	379	125	79	46	2,292	1,724	568
Sumter <sup>1</sup>	1,186	1,011	175	1,909	1,633	276	328	206	122	3,423	2,850	573
Tattall	65	54	11	2,976	2,921	55	151	127	24	3,192	3,102	90
Thomas <sup>10</sup>	1,484	1,334	150	4,900	4,475	425	252	180	72	6,636	5,989	647
Tift <sup>1</sup>	4,380	2,253	2,127	10,348	7,892	2,456	175	102	73	14,903	10,247	4,656
Toombs <sup>1</sup>	686	523	163	1,712	1,215	497	N/A	N/A	N/A	2,398	1,738	660



**State Court Caseload, Calendar Year 1997**  
**(criminal - number of defendants; civil - number of dockets)**

County	Misdemeanor			Traffic			Civil			Total		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Treutlen	327	302	25	2,952	2,814	138	48	35	13	3,327	3,151	176
Troup <sup>1</sup>	3,081	3,326	135	5,984	5,802	99	500	317	194	9,565	9,445	428
Walker <sup>1</sup>	1,035	668	367	5,167	4,269	898	220	125	95	6,422	5,062	1,360
Ware <sup>1</sup>	1,199	1,059	156	4,176	2,511	3,460	178	172	221	5,553	3,742	3,837
Washington <sup>1</sup>	685	737	219	1,727	1,637	205	66	54	47	2,478	2,428	471
Wayne	795	728	197	1,769	1,836	459	156	88	138	2,720	2,652	794
Worth <sup>1</sup>	734	653	81	4,781	4,204	577	78	34	44	5,593	4,891	702
<b>Total</b>	<b>170,190</b>	<b>138,644</b>	<b>31,497</b>	<b>378,388</b>	<b>333,613</b>	<b>48,088</b>	<b>151,597</b>	<b>138,863</b>	<b>28,043</b>	<b>700,175</b>	<b>611,119</b>	<b>107,628</b>
<b>Average per Judge</b>	<b>1,791</b>	<b>1,459</b>	<b>332</b>	<b>3,983</b>	<b>3,512</b>	<b>506</b>	<b>1,596</b>	<b>1,462</b>	<b>295</b>	<b>7,370</b>	<b>6,433</b>	<b>1,133</b>

Note: 59 of 66 state courts submitted data as of January 15, 1999.

[\*] Caseload data not submitted as of January 15, 1999.

[N/A] Data elements not available

<sup>1</sup> Reported criminal data by number of cases.

<sup>2</sup> Reported criminal data by number of warrants.

<sup>3</sup> Traffic and misdemeanor data are combined and shown under traffic category.

<sup>4</sup> Misdemeanors: number of cases; traffic cases: number of defendants.

<sup>5</sup> Open misdemeanor cases are included in open traffic count.

<sup>6</sup> Traffic cases are heard in magistrate court.

<sup>7</sup> Used charges for reporting misdemeanor and traffic data.

<sup>8</sup> Does not handle civil cases.

<sup>9</sup> Data is for FY 98.

<sup>10</sup> Reported approximate numbers.

## Juvenile Courts

**T**he purpose of our juvenile courts is to protect the well-being of children, provide guidance and control conducive to child welfare and the best interests of the state, and secure care for children removed from their homes.

The exclusive, original jurisdiction of juvenile courts extends to delinquent and unruly children under the age of 17, and deprived children under the age of 18. Juvenile courts have concurrent jurisdiction with superior courts in cases involving capital felonies, custody and child support cases, and in proceedings to terminate parental rights. However, by statute, the superior court has jurisdiction over juveniles who commit the following violent felonies: murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, armed robbery if committed with a firearm, battery against a teacher, trafficking in certain illegal drugs, racketeering, and gang terrorism. In addition, the juvenile court has jurisdiction over cases involving minors committing traffic violations or enlisting in the military services, consent to marriage for minors, and cases involving the Interstate Compact on Juveniles. Most cases appealed from the juvenile courts are heard by the Court of Appeals.

There are 56 full- and part-time juvenile court judges who hear juvenile cases exclusively. In 55 counties, superior court judges hear juvenile cases. In addition, 33 associate juvenile court judges serve in 46 counties. The qualifications for associate judges appointed after July 1, 1994, are the same as those for juvenile court judges.

Juvenile court judges are appointed by the superior court judges of the circuit to four-year terms. (The juvenile court judge of Floyd County is the only elected juvenile court judge.) Judges must be at least 30 years of age, have practiced law for five years and have lived in Georgia for three years. Full-time judges cannot practice law while holding office.

*Filings and dispositions are presented for those  
juvenile courts submitting caseload data  
to the Administrative Office of the Courts.*

## Juvenile Court Caseload, Calendar Year 1997 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Appling	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Atkinson	55	49	6	23	19	4	16	3	13	29	20	9	29	16	13	152	107	45
Bacon	57	55	6	15	16	1	16	20	0	14	16	0	0	0	0	102	107	7
Baker	2	2	0	0	0	0	8	8	0	1	1	0	0	0	0	11	11	0
Baldwin	445	438	76	61	57	6	114	103	11	134	128	10	6	6	2	760	732	105
Banks	64	51	24	14	14	0	13	13	0	34	23	24	0	0	0	125	101	48
Barrow	415	377	110	132	133	4	57	77	41	68	69	5	1	1	0	673	657	160
Bartow	499	320	179	214	185	29	228	197	31	220	203	17	141	135	6	1,302	1,040	262
Ben Hill	221	228	2	43	43	0	20	23	0	12	12	0	2	2	0	298	308	2
Berrien	89	40	36	22	10	30	35	18	20	25	20	35	5	4	8	176	92	129
Bibb	2,154	2,096	280	142	139	20	1,315	1,310	98	302	306	22	3	2	28	3,916	3,853	448
Bleckley	80	83	0	14	14	0	13	14	0	13	13	0	8	8	0	128	132	0
Brantley	69	73	7	31	25	6	16	18	0	15	17	0	0	0	0	131	133	13
Brooks	103	94	12	24	23	1	76	74	1	36	32	3	0	0	0	239	223	17
Bryan	152	165	30	72	69	20	35	44	11	66	67	12	0	0	0	325	345	73
Bulloch	122	248	12	43	80	8	0	0	0	25	60	2	0	0	0	190	388	22
Burke	242	152	217	11	6	7	57	53	23	19	5	24	0	0	0	329	216	271
Butts	170	169	1	38	38	0	69	69	0	15	15	0	0	0	0	292	291	1
Calhoun	15	13	2	0	0	0	0	0	0	6	6	0	0	0	0	21	19	2
Camden	450	410	40	208	173	35	75	75	0	38	37	1	78	78	0	849	773	76
Candler	18	20	0	0	0	0	22	15	16	2	2	0	1	1	0	43	38	16
Carroll <sup>1</sup>	1,009	919	90	173	170	3	390	376	14	325	262	63	56	56	0	1,953	1,783	170
Catoosa <sup>2</sup>	284	284	0	77	77	0	30	18	12	178	178	0	1	1	0	570	558	12
Charlton	74	71	7	17	17	0	6	6	0	5	5	0	0	0	0	102	99	7
Chatham <sup>2</sup>	2,317	1,975	342	871	666	205	556	416	140	92	82	10	973	880	93	4,809	4,019	790
Chattahoochee	20	18	22	11	15	5	1	2	1	0	1	0	1	1	0	33	37	28
Chattooga	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Cherokee <sup>2</sup>	409	376	33	254	248	6	300	276	24	504	486	18	166	161	12	1,633	1,547	93
Clarke <sup>2</sup>	923	739	184	411	322	89	246	192	54	25	18	7	243	191	52	1,848	1,462	386
Clay	10	8	2	3	3	0	17	13	4	2	2	0	0	0	0	32	26	6
Clayton	3,148	3,084	468	582	592	104	1,118	1,077	63	737	683	198	99	113	33	5,684	5,549	866
Clinch	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Cobb	3,562	2,688	874	734	583	151	1,244	941	303	1,845	1,609	236	94	76	18	7,479	5,897	1,582
Coffee	303	175	128	103	66	37	29	9	20	123	59	64	0	0	0	558	309	249
Colquitt	274	231	43	115	102	13	119	108	11	50	40	10	8	8	0	566	489	77
Columbia	417	445	70	150	146	14	15	7	11	292	316	25	4	0	6	878	914	126
Cook	195	145	50	31	27	4	15	2	13	52	42	10	0	0	0	293	216	77
Coweta	568	491	77	263	224	39	255	253	2	16	15	1	381	236	145	1,483	1,219	264
Crawford	38	28	24	0	0	0	36	36	11	1	1	7	0	0	1	75	65	43
Crisp	409	426	0	41	41	0	44	52	0	52	52	0	1	5	0	547	576	0
Dade	59	49	10	8	8	0	39	21	18	19	17	2	2	1	1	127	96	31
Dawson	143	113	58	37	41	13	34	33	18	69	63	26	7	6	1	290	256	116
Decatur	158	157	1	4	4	0	52	48	4	39	39	0	1	1	0	254	249	5
DeKalb	8,044	7,585	459	2,082	2,051	31	1,391	1,304	87	1,656	1,463	193	277	254	23	13,450	12,657	793
Dodge	60	66	0	3	3	0	9	9	0	22	18	4	5	5	0	99	101	4
Dooly	126	125	4	8	8	1	27	28	0	7	7	0	3	3	0	171	171	5
Dougherty <sup>2</sup>	1,326	1,281	45	157	152	5	99	98	1	288	282	6	157	152	5	2,027	1,965	62
Douglas	659	860	347	176	171	122	87	81	59	196	207	118	1	0	1	1,119	1,319	647
Early <sup>2</sup>	178	161	17	6	6	0	18	6	12	20	15	5	10	6	4	232	194	38
Echols	6	3	3	5	1	4	10	0	10	0	0	0	0	0	0	21	4	17
Effingham	200	185	19	72	71	4	18	18	0	149	147	9	0	0	0	439	421	32
Elbert	122	117	10	35	34	2	22	25	8	38	37	2	0	0	0	217	213	22
Emanuel	75	75	4	12	12	1	17	18	1	1	1	0	3	3	0	108	109	6
Evans	108	104	18	48	46	5	29	31	1	37	34	7	0	0	0	222	215	31
Fannin	47	31	16	49	26	23	64	23	41	48	46	2	2	1	1	210	127	83
Fayette	621	602	19	271	258	13	179	159	20	536	534	2	108	99	9	1,715	1,652	63
Floyd	696	677	59	396	383	37	403	355	74	411	400	37	110	113	10	2,016	1,928	217
Forsyth	295	254	41	167	143	24	245	207	38	57	38	19	27	25	2	791	667	124
Franklin	76	66	32	9	7	3	34	32	9	24	16	23	1	0	2	144	121	69
Fulton	7,377	7,525	3,241	1,999	2,268	655	3,138	3,102	879	1,513	1,559	485	1,216	1,281	540	15,243	15,735	5,800

## Juvenile Court Caseload, Calendar Year 1997 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Gilmer	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Glascocock	9	14	0	7	8	0	0	4	3	2	3	0	0	0	0	18	29	3
Glynn	680	632	48	240	211	29	93	91	2	225	199	26	2	2	0	1,240	1,135	105
Gordon	318	276	42	275	256	19	283	253	30	145	140	5	0	0	0	1,021	925	96
Grady	126	119	7	5	5	0	43	43	0	22	21	1	1	1	0	197	189	8
Greene	90	83	10	18	13	5	36	27	9	15	7	10	7	7	0	166	137	34
Gwinnett	2,911	2,388	523	1,549	1,271	278	1,090	883	207	2,124	1,806	318	253	227	26	7,927	6,575	1,352
Habersham	150	142	27	48	48	4	46	36	25	78	78	5	13	13	1	335	317	62
Hall	975	936	N/A	265	262	N/A	183	173	N/A	553	539	N/A	14	14	0	1,990	1,924	0
Hancock	42	33	59	10	9	2	8	8	7	4	0	4	0	0	0	64	50	72
Haralson	48	161	0	19	103	0	11	56	0	17	58	0	13	44	0	108	422	0
Harris	37	16	96	20	10	51	16	1	46	36	12	59	10	4	16	119	43	268
Hart	88	84	35	18	19	4	40	38	16	17	13	12	0	0	0	163	154	67
Heard	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Henry	429	419	10	206	201	5	134	129	5	289	279	10	3	3	0	1,061	1,031	30
Houston	1,499	1,456	35	849	835	7	427	405	22	419	406	8	20	17	3	3,214	3,119	75
Irwin	55	50	9	10	12	0	9	9	0	27	31	0	0	0	0	101	102	9
Jackson	234	213	92	111	107	9	78	93	20	58	66	26	0	0	0	481	479	147
Jasper	86	62	27	44	21	24	29	26	4	30	14	17	2	1	2	191	124	74
Jeff Davis	102	98	4	62	56	6	14	14	0	41	41	0	10	10	0	229	219	10
Jefferson	37	36	1	0	0	0	30	30	0	0	0	0	0	0	0	67	66	1
Jenkins	42	35	9	21	19	4	20	27	1	19	18	1	0	0	0	102	99	15
Johnson	125	119	21	9	9	0	7	8	2	16	11	6	0	0	0	157	147	29
Jones	75	57	18	23	14	9	64	43	21	69	47	17	0	0	0	231	161	65
Lamar	280	97	183	47	29	18	47	35	12	26	18	8	0	0	0	400	179	221
Lanier	74	71	3	37	37	0	24	23	1	20	19	1	0	0	0	155	150	5
Laurens	843	823	20	85	75	10	54	49	5	182	172	10	45	40	5	1,209	1,159	50
Lee	191	183	8	22	21	1	1	1	0	54	54	0	0	0	0	268	259	9
Liberty	665	630	132	315	297	65	208	194	52	167	146	31	0	0	0	1,355	1,267	280
Lincoln	25	19	11	0	0	0	11	10	2	24	17	9	0	0	0	60	46	22
Long	31	30	5	21	19	5	16	19	1	16	17	0	0	0	0	84	85	11
Lowndes	441	N/A	N/A	187	N/A	N/A	76	N/A	N/A	219	N/A	N/A	0	N/A	N/A	923	N/A	N/A
Lumpkin	126	107	95	97	88	56	43	34	29	22	26	13	9	11	10	297	266	203
Macon	125	116	9	9	9	0	8	8	0	4	4	0	0	0	0	146	137	9
Madison	59	37	45	8	5	6	26	20	19	45	34	14	0	0	0	138	96	84
Marion	28	13	50	1	1	5	0	0	0	3	2	9	0	0	0	32	16	64
McDuffie	131	145	7	35	34	3	20	13	7	48	49	3	0	0	0	234	241	20
McIntosh	63	62	11	41	43	7	18	19	1	53	48	8	0	0	0	175	172	27
Meriwether	159	146	13	14	13	1	35	35	0	43	43	0	98	87	11	349	324	25
Miller	44	44	0	19	19	0	10	10	0	20	20	0	7	7	0	100	100	0
Mitchell	120	N/A	N/A	4	N/A	N/A	27	N/A	N/A	14	N/A	N/A	0	0	0	165	157	8
Monroe	115	106	9	47	45	2	75	66	9	100	88	12	0	0	0	337	305	32
Montgomery	10	7	3	1	1	0	7	5	2	5	5	0	0	0	0	23	18	5
Morgan	61	49	12	25	18	7	23	18	5	61	49	12	1	0	2	171	134	38
Murray <sup>3</sup>	124	472	36	80	281	44	69	190	8	44	182	8	21	71	1	338	1,196	97
Muscogee <sup>2</sup>	2,136	2,092	44	972	950	22	588	552	36	403	373	30	82	31	51	4,181	3,998	183
Newton	611	592	19	420	413	7	284	278	6	150	147	3	236	228	8	1,701	1,658	43
Oconee	156	152	113	55	44	41	24	24	6	70	56	28	0	0	0	305	276	188
Oglethorpe	22	21	7	4	3	2	12	10	5	8	9	0	2	1	0	48	44	14
Paulding	120	505	9	93	238	0	21	107	3	41	175	0	6	37	0	281	1,062	12
Peach	98	81	43	3	3	3	63	52	22	55	55	0	6	10	7	225	201	75
Pickens	45	45	0	109	109	0	29	28	1	22	22	0	1	1	0	206	205	1
Pierce	69	66	13	25	23	4	28	22	6	50	50	7	0	0	0	172	161	30
Pike	80	78	2	17	17	0	67	39	28	26	26	0	0	0	0	190	160	30
Polk	179	924	90	97	420	21	46	223	37	44	156	16	12	65	3	378	1,788	167
Pulaski	44	46	2	6	6	0	6	6	0	12	12	0	2	2	0	70	72	2
Putnam	101	96	19	6	5	1	50	52	1	9	9	0	3	3	0	169	165	21
Quitman	20	20	0	0	0	0	2	2	0	4	4	0	0	0	0	26	26	0
Rabun	62	37	30	6	6	0	13	2	17	10	7	5	0	0	0	91	52	52
Randolph	96	96	0	5	5	0	30	30	0	13	10	3	0	0	0	144	141	3

## Juvenile Court Caseload, Calendar Year 1997 (number of children)

County	Delinquent			Unruly			Deprived			Traffic			Special Proceedings			Grand Totals		
	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open
Richmond <sup>2</sup>	2,121	2,066	55	116	113	3	221	117	104	133	133	0	306	216	90	2,897	2,645	252
Rockdale	616	624	26	76	76	5	134	128	20	291	286	32	15	15	2	1,132	1,129	85
Schley	24	24	0	2	2	0	7	7	0	4	4	0	0	0	0	37	37	0
Screven	85	84	10	31	26	7	17	16	2	33	31	5	0	0	0	166	157	24
Seminole	84	72	12	31	24	7	19	2	17	39	35	4	0	0	0	173	133	40
Spalding	488	481	7	103	103	0	528	526	2	54	54	0	0	0	0	1,173	1,164	9
Stephens	152	144	35	26	24	7	27	31	10	58	57	5	7	7	0	270	263	57
Stewart	97	94	3	7	7	0	3	3	0	1	1	0	0	0	0	108	105	3
Sumter	520	476	44	133	124	9	29	27	2	53	52	1	0	0	0	735	679	56
Talbot	19	13	27	0	6	2	19	3	33	7	8	4	12	10	4	57	40	70
Taliaferro	2	2	1	1	0	1	3	3	0	6	4	2	0	0	0	12	9	4
Tattnall	160	156	32	58	57	10	49	49	7	40	35	9	0	0	0	307	297	58
Taylor	17	11	38	4	1	10	7	7	6	12	16	15	3	1	7	43	36	76
Telfair	49	54	0	6	6	0	14	14	0	19	19	0	3	3	0	91	96	0
Terrell	135	106	29	27	24	3	28	25	3	7	6	1	25	25	0	222	186	36
Thomas	580	106	474	87	46	41	92	89	3	88	72	16	11	11	0	858	324	534
Tift	311	224	91	88	54	30	49	5	44	118	108	10	0	0	0	566	391	175
Toombs	107	90	20	0	0	1	96	64	42	3	3	0	1	1	0	207	158	63
Towns	6	7	3	5	4	3	5	4	3	11	11	1	0	0	0	27	26	10
Treutlen	74	57	17	20	17	3	8	6	2	9	7	2	0	0	0	111	87	24
Troup <sup>2</sup>	990	918	72	282	259	23	372	341	31	80	71	9	209	191	18	1,933	1,780	153
Turner	131	122	9	43	35	8	14	14	0	25	10	15	0	0	0	213	181	32
Twiggs	93	99	9	19	22	0	17	22	1	12	11	1	4	4	0	145	158	11
Union	41	32	17	17	15	3	4	3	7	37	36	3	0	0	0	99	86	30
Upton	415	388	27	47	44	3	118	97	21	79	71	8	0	0	0	659	600	59
Walker	224	199	25	75	69	6	73	55	18	133	119	14	6	6	0	511	448	63
Walton <sup>2</sup>	635	543	92	447	387	60	85	79	6	159	144	15	272	225	47	1,598	1,378	220
Ware	453	428	25	132	115	17	151	141	10	76	76	0	58	54	4	870	814	56
Warren	39	39	5	4	6	0	4	4	0	9	2	10	0	0	0	56	51	15
Washington	212	221	11	19	20	0	5	11	0	5	5	0	0	0	0	241	257	11
Wayne	128	30	98	28	9	19	33	11	22	24	22	2	4	0	4	217	72	145
Webster	17	16	1	1	1	0	1	1	0	5	5	0	0	0	0	24	23	1
Wheeler	13	17	0	1	1	0	5	6	0	6	6	0	1	1	0	26	31	0
White	129	123	43	50	38	29	32	21	34	39	31	12	5	10	4	255	223	122
Whitfield <sup>2</sup>	665	638	27	329	320	9	313	285	28	459	458	1	178	167	11	1,944	1,868	76
Wilcox	36	41	0	2	2	0	2	2	0	6	8	0	0	0	0	46	53	0
Wilkes	46	55	8	12	13	1	16	17	0	29	26	6	0	0	0	103	111	15
Wilkinson	90	92	10	17	19	1	33	40	0	8	7	2	5	5	0	153	163	13
Worth	90	68	35	27	32	6	32	21	15	65	52	19	0	0	0	214	173	75
<b>Total</b>	<b>65,564</b>	<b>61,619</b>	<b>11,411</b>	<b>19,582</b>	<b>18,923</b>	<b>2,898</b>	<b>19,908</b>	<b>18,386</b>	<b>3,462</b>	<b>19,038</b>	<b>17,821</b>	<b>2,732</b>	<b>6,235</b>	<b>5,820</b>	<b>1,353</b>	<b>130,327</b>	<b>122,726</b>	<b>21,864</b>

Note: 154 of 159 counties submitted data as of January 13, 1999.

[\*] Caseload data not submitted.

[N/A] Data elements not available.

<sup>1</sup> Reported data by number of charges.

<sup>2</sup> Reported data by number of cases.

<sup>3</sup> Incomplete data.

## Probate Courts

County probate courts exercise exclusive, original jurisdiction in the probate of wills, administration of estates, appointment of guardians and involuntary hospitalization of incapacitated adults and other dependent individuals.

All probate court judges administer oaths of office and issue marriage licenses. They may hold habeas corpus hearings or preside over criminal preliminary hearings. In counties where there is no state court, unless a jury trial is requested, probate court judges may also hear certain misdemeanors, traffic cases and violations of state game and fish laws. When provided by local statute, probate judges serve as election supervisors and make appointments to certain local public offices.

Most probate court judges are elected in partisan, countywide elections to four-year terms. In 28 counties, probate judges run as nonpartisan candidates. A candidate for judge of the probate court must be at least 25 years of age, a high school graduate, a U.S. citizen and a county resident for at least two years preceding the election. However, in counties with population over 96,000, a candidate for probate judge must have practiced law for seven years and be at least 30 years of age.

In counties with population greater than 96,000, where the probate judge has practiced law for at least seven years, a party to a civil case may request a jury trial in the probate court by a written demand with the first pleading. Appeals from such civil cases may be to the Supreme Court or Court of Appeals depending on the particular matter.

*Filings and dispositions are presented for those  
probate courts submitting caseload data  
to the Administrative Office of the Courts.*



## Probate Court Criminal Caseload, Fiscal Year 1998 (docket entries)

County	Misdemeanor		Traffic		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Atkinson <sup>1</sup>	0	0	0	344	0	344
Bacon	*	*	*	*	*	*
Baker	*	*	*	*	*	*
Banks	104	75	2,282	1,842	2,386	1,917
Barrow	0	0	3,960	3,960	3,960	3,960
Bartow	279	115	6,138	6,244	6,417	6,359
Ben Hill	*	*	*	*	*	*
Berrien	*	*	*	*	*	*
Bleckley <sup>3</sup>	0	0	994	445	994	445
Brantley	35	35	1,357	1,357	1,392	1,392
Butts <sup>2</sup>	105	86	1,678	1,841	1,783	1,927
Calhoun	*	*	*	*	*	*
Camden <sup>3</sup>	39	39	2,265	2,765	2,304	2,804
Catoosa	*	*	*	*	*	*
Charlton	*	*	*	*	*	*
Chattahoochee	*	*	*	*	*	*
Clay	*	*	*	*	*	*
Columbia	*	*	*	*	*	*
Cook	*	*	*	*	*	*
Crawford	*	*	*	*	*	*
Crisp	*	*	*	*	*	*
Dade	0	0	3,461	3,461	3,461	3,461
Dawson	*	*	*	*	*	*
Dodge	*	*	*	*	*	*
Dooly	*	*	*	*	*	*
Douglas	*	*	*	*	*	*
Echols	*	*	*	*	*	*
Fannin	76	78	1,536	1,397	1,612	1,475
Floyd <sup>2</sup>	0	0	3,815	2,801	3,815	2,801
Franklin	*	*	*	*	*	*
Gilmer	*	*	*	*	*	*
Glascock	*	*	*	*	*	*
Gordon <sup>3</sup>	27	31	3,897	3,750	3,924	3,781
Grady <sup>3</sup>	11	75	0	0	11	75
Greene	139	123	2,602	2,329	2,741	2,452
Hancock	*	*	*	*	*	*
Haralson	44	44	2,889	2,901	2,933	2,945
Harris <sup>4</sup>	0	0	5,521	5,521	5,521	5,521
Hart	146	142	1,324	1,381	1,470	1,523
Heard <sup>2</sup>	15	15	328	328	343	343
Henry	27	28	12,180	12,401	12,207	12,429
Irwin	*	*	*	*	*	*
Jasper	295	295	731	731	1,026	1,026
Jenkins	*	*	*	*	*	*
Johnson	*	*	*	*	*	*
Jones	71	63	2,384	1,711	2,455	1,774
Lamar	*	*	*	*	*	*
Lanier	152	43	879	792	1,031	835
Laurens <sup>3</sup>	46	56	11,391	10,331	11,437	10,387
Lee <sup>2</sup>	0	0	1,564	1,571	1,564	1,571
Lincoln	*	*	*	*	*	*
Lumpkin	*	*	*	*	*	*
Macon	0	0	1,693	1,189	1,693	1,189
Madison	*	*	*	*	*	*
Marion <sup>3</sup>	0	0	734	734	734	734
McDuffie	0	0	4,554	3,925	4,554	3,925
Meriwether	56	71	3,228	2,243	3,284	2,314
Monroe <sup>3</sup>	112	112	8,462	8,997	8,574	9,109
Montgomery	*	*	*	*	*	*
Morgan	*	*	*	*	*	*

## Probate Court Criminal Caseload, Fiscal Year 1998 (docket entries)

County	Misdemeanor		Traffic		Total Caseload	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Murray <sup>1</sup>	0	0	498	498	498	498
Newton	*	*	*	*	*	*
Oconee <sup>2</sup>	0	0	2,687	2,687	2,687	2,687
Oglethorpe <sup>3</sup>	16	16	630	694	646	710
Paulding	103	22	3,992	3,377	4,095	3,399
Peach <sup>2</sup>	0	0	2,380	2,380	2,380	2,380
Pickens	*	*	*	*	*	*
Pike	*	*	*	*	*	*
Polk <sup>1</sup>	21	20	1,117	1,010	1,138	1,030
Pulaski	0	0	1,586	1,586	1,586	1,586
Quitman	*	*	*	*	*	*
Rabun <sup>1</sup>	*	*	*	*	*	*
Randolph	*	*	*	*	*	*
Schley	*	*	*	*	*	*
Seminole	60	47	1,723	1,353	1,783	1,400
Stewart	*	*	*	*	*	*
Talbot <sup>3</sup>	0	0	1,845	1,845	1,845	1,845
Taliaferro	*	*	*	*	*	*
Taylor <sup>4</sup>	0	0	3,884	3,978	3,884	3,978
Telfair <sup>1</sup>	0	0	889	889	889	889
Terrell	20	12	2,915	2,899	2,935	2,911
Thomas	38	34	0	0	38	34
Towns <sup>3</sup>	22	32	316	227	338	259
Turner	0	0	2,891	1,907	2,891	1,907
Twiggs <sup>3</sup>	56	56	1,273	1,273	1,329	1,329
Union	83	73	1,473	1,111	1,556	1,184
Upson	0	0	3,921	3,962	3,921	3,962
Walton	156	149	5,931	5,467	6,087	5,616
Warren	*	*	*	*	*	*
Webster	*	*	*	*	*	*
Wheeler	*	*	*	*	*	*
White	*	*	*	*	*	*
Whitfield	38	38	15,070	15,070	15,108	15,108
Wilcox	*	*	*	*	*	*
Wilkes	76	82	1,601	1,148	1,677	1,230
Wilkinson	39	37	600	572	639	609
<b>Total</b>	<b>2,507</b>	<b>2,144</b>	<b>149,069</b>	<b>141,225</b>	<b>151,576</b>	<b>143,369</b>

Note: 52 of the 96 probate courts with criminal jurisdiction submitted data.

[\*]Caseload data not submitted.

<sup>1</sup>Reported one quarter.

<sup>2</sup>Reported two quarters.

<sup>3</sup>Reported three quarters.

<sup>4</sup>Data from calendar year 1998.

## Probate Court Civil Caseload, Fiscal Year 1998 (docket entries)

County	No Administration		Probate			Year's Support	Hospitalization	Habeas Corpus	Total Civil	Licenses	
	Administration	Necessary	Common	Solemn	Guardianship					Marriage	Pistol
Appling <sup>1</sup>	16	0	0	27	17	10	0	0	70	33	52
Atkinson <sup>1</sup>	3	1	0	0	2	0	0	0	6	15	2
Bacon	*	*	*	*	*	*	*	*	*	*	*
Baker	*	*	*	*	*	*	*	*	*	*	*
Baldwin <sup>3</sup>	18	5	2	70	14	1	176	0	286	230	266
Banks	5	1	0	27	4	6	7	0	50	70	120
Barrow	33	7	1	82	68	18	16	0	225	296	271
Bartow	69	2	1	172	60	14	60	0	378	548	556
Ben Hill	*	*	*	*	*	*	*	*	*	*	*
Berrien	*	*	*	*	*	*	*	*	*	*	*
Bibb	94	20	16	424	130	42	40	0	766	1,566	822
Bleckley <sup>3</sup>	5	0	3	13	1	0	0	0	22	77	109
Brantley	14	0	1	30	10	1	0	0	56	113	83
Brooks	22	0	2	49	7	0	6	0	86	95	56
Bryan	21	3	2	31	58	2	8	0	125	101	127
Bulloch	39	9	1	137	44	16	33	0	279	352	300
Burke <sup>2</sup>	20	6	3	61	18	7	0	0	115	153	210
Butts <sup>4</sup>	5	0	1	25	10	2	7	0	50	62	106
Calhoun	*	*	*	*	*	*	*	*	*	*	*
Camden <sup>3</sup>	21	5	0	34	30	1	0	0	91	509	153
Candler	*	*	*	*	*	*	*	*	*	*	*
Carroll	72	11	0	206	76	10	29	0	404	736	625
Catoosa	*	*	*	*	*	*	*	*	*	*	*
Charlton	*	*	*	*	*	*	*	*	*	*	*
Chatham <sup>3</sup>	167	23	23	483	274	56	59	0	1,085	1,398	761
Chattahoochee	*	*	*	*	*	*	*	*	*	*	*
Chattooga	30	0	18	66	14	4	11	0	143	107	120
Cherokee	58	14	17	221	105	21	12	0	448	668	679
Clarke	51	1	9	205	75	15	19	0	375	803	485
Clay	*	*	*	*	*	*	*	*	*	*	*
Clayton	97	16	12	301	356	50	35	0	867	1,836	1,219
Clinch <sup>4</sup>	3	3	1	27	4	1	0	0	39	112	42
Cobb	190	37	20	965	576	56	85	13	1,942	4,724	2,417
Coffee	25	8	2	63	25	2	0	0	125	414	143
Colquitt	14	11	0	105	12	6	26	0	174	369	132
Columbia	*	*	*	*	*	*	*	*	*	*	*
Cook	*	*	*	*	*	*	*	*	*	*	*
Coweta	56	5	2	180	162	35	41	0	481	531	597
Crawford	*	*	*	*	*	*	*	*	*	*	*
Crisp	*	*	*	*	*	*	*	*	*	*	*
Dade	14	0	1	17	10	2	2	0	46	76	93
Dawson	*	*	*	*	*	*	*	*	*	*	*
Decatur	23	2	3	62	24	2	13	0	129	208	139
DeKalb	1,239	105	219	1,646	2,771	252	551	10	6,793	5,315	3,124
Dodge	*	*	*	*	*	*	*	*	*	*	*
Dooley	*	*	*	*	*	*	*	*	*	*	*
Dougherty	89	4	4	138	165	5	116	0	521	862	569
Douglas	35	9	1	144	58	25	2	0	274	819	648
Early	7	3	1	39	12	2	6	0	70	81	71
Echols	*	*	*	*	*	*	*	*	*	*	*
Effingham	28	6	8	69	41	24	15	0	191	172	230
Elbert	12	3	1	60	8	8	9	0	101	102	149
Emanuel <sup>3</sup>	8	8	1	39	7	0	37	0	100	137	112
Evans	12	1	0	29	4	3	8	0	57	82	79
Fannin	15	3	1	34	29	8	18	0	108	117	201
Fayette	62	3	4	143	116	48	0	0	376	576	613
Floyd <sup>4</sup>	*	*	*	*	*	*	*	*	*	*	*
Forsyth	32	3	2	150	39	9	21	0	256	610	574
Franklin	*	*	*	*	*	*	*	*	*	*	*
Fulton	556	155	108	1,619	1,769	126	55	2	4,390	6,326	2,003

## Probate Court Civil Caseload, Fiscal Year 1998 (docket entries)

County	No Administration		Probate			Year's		Habeas Corpus	Total Civil	Licenses	
	Administration	Necessary	Common	Solemn	Guardianship	Support	Hospitalization			Marriage	Pistol
Gilmer	*	*	*	*	*	*	*	*	*	*	*
Glascocock	*	*	*	*	*	*	*	*	*	*	*
Glynn	73	4	9	210	57	53	49	0	455	801	437
Gordon <sup>3</sup>	17	5	3	67	10	6	0	0	108	207	166
Grady <sup>3</sup>	14	3	0	53	11	1	23	1	106	115	105
Greene	11	1	8	34	28	3	8	0	93	84	102
Gwinnett	237	18	31	1,004	752	78	31	0	2,151	3,985	2,748
Habersham	36	1	3	118	60	10	10	0	238	210	220
Hall	87	10	8	264	143	15	32	0	559	805	709
Hancock	*	*	*	*	*	*	*	*	*	*	*
Haralson	74	0	0	85	79	37	7	4	286	180	196
Harris <sup>4</sup>	15	1	2	88	33	6	0	0	145	159	190
Hart	23	2	3	69	19	1	19	0	136	107	177
Heard <sup>4</sup>	4	0	0	8	17	2	4	0	35	29	41
Henry	56	25	17	187	182	35	16	0	518	737	763
Houston <sup>3</sup>	37	4	2	156	134	4	44	0	381	658	571
Irwin	*	*	*	*	*	*	*	*	*	*	*
Jackson	20	5	0	79	27	9	9	0	149	178	213
Jasper	4	0	1	25	13	6	0	0	49	55	117
Jeff Davis	12	7	0	14	3	5	0	0	41	132	75
Jefferson	*	*	*	*	*	*	*	*	*	*	*
Jenkins	6	0	1	28	7	1	0	0	43	71	73
Johnson	*	*	*	*	*	*	*	*	*	*	*
Jones	20	4	3	72	22	7	16	0	144	133	236
Lamar	*	*	*	*	*	*	*	*	*	*	*
Lanier	6	1	0	19	10	0	0	0	36	93	33
Laurens <sup>3</sup>	29	7	1	97	25	3	68	0	230	372	291
Lee <sup>4</sup>	6	0	1	11	24	1	4	0	47	78	189
Liberty	58	0	0	91	301	10	27	0	487	521	110
Lincoln	*	*	*	*	*	*	*	*	*	*	*
Long	9	0	1	16	13	1	5	0	45	60	41
Lowndes	57	8	4	161	57	15	27	0	329	975	335
Lumpkin	*	*	*	*	*	*	*	*	*	*	*
Macon	6	3	0	34	13	0	4	37	97	77	81
Madison	*	*	*	*	*	*	*	*	*	*	*
Marion <sup>3</sup>	4	1	1	10	12	2	0	0	30	37	27
McDuffie	19	1	2	68	47	9	8	0	154	173	135
McIntosh <sup>2</sup>	17	1	0	19	8	0	15	0	60	72	42
Meriwether	37	0	2	47	11	1	7	0	105	99	77
Miller <sup>1</sup>	2	2	0	8	2	0	0	0	14	10	18
Mitchell	*	*	*	*	*	*	*	*	*	*	*
Monroe <sup>3</sup>	16	1	4	34	20	4	3	0	82	86	131
Montgomery	*	*	*	*	*	*	*	*	*	*	*
Morgan	*	*	*	*	*	*	*	*	*	*	*
Murray <sup>1</sup>	6	1	0	12	3	1	3	0	26	55	68
Muscogee <sup>3</sup>	133	11	22	544	270	82	97	0	1,159	1,424	546
Newton	*	*	*	*	*	*	*	*	*	*	*
Oconee <sup>4</sup>	6	1	2	21	15	1	3	0	49	56	59
Oglethorpe <sup>3</sup>	8	0	0	28	20	0	4	0	60	45	103
Paulding	37	6	0	106	46	8	0	0	203	513	472
Peach <sup>4</sup>	7	0	0	10	6	2	0	0	25	25	31
Pickens	*	*	*	*	*	*	*	*	*	*	*
Pierce	*	*	*	*	*	*	*	*	*	*	*
Pike	*	*	*	*	*	*	*	*	*	*	*
Polk <sup>1</sup>	8	0	0	31	1	1	10	0	51	80	49
Pulaski	5	3	2	29	2	0	0	0	41	75	61
Putnam	17	0	3	48	31	2	8	0	109	170	143
Quitman	*	*	*	*	*	*	*	*	*	*	*
Rabun <sup>1</sup>	2	0	0	14	2	0	0	0	18	32	46
Randolph	*	*	*	*	*	*	*	*	*	*	*

## Probate Court Civil Caseload, Fiscal Year 1998 (docket entries)

County	No Administration		Probate		Guardianship	Year's Support	Hospitalization	Habeas Corpus	Total Civil	Licenses	
	Administration	Necessary	Common	Solemn						Marriage	Pistol
Richmond <sup>3</sup>	93	19	18	336	76	117	95	0	754	926	824
Rockdale <sup>3</sup>	37	8	6	113	74	17	8	0	263	452	417
Schley	*	*	*	*	*	*	*	*	*	*	*
Screven	17	2	3	50	10	4	3	1	90	86	115
Seminole	7	7	0	28	2	1	14	0	59	267	61
Spalding <sup>4</sup>	20	3	0	71	34	9	10	0	147	282	286
Stephens	*	*	*	*	*	*	*	*	*	*	*
Stewart	*	*	*	*	*	*	*	*	*	*	*
Sumter	17	5	2	86	18	2	11	0	141	284	182
Talbot <sup>3</sup>	4	0	0	14	4	1	2	0	25	15	35
Taliaferro	*	*	*	*	*	*	*	*	*	*	*
Tattnall	8	0	0	41	36	3	10	0	98	121	109
Taylor <sup>2</sup>	10	6	0	44	8	4	0	0	72	116	94
Telfair <sup>1</sup>	6	0	0	9	1	0	2	0	18	48	27
Terrell	19	4	4	26	116	2	6	0	177	71	101
Thomas	31	2	4	105	26	5	302	0	475	420	205
Tift <sup>4</sup>	30	3	3	69	18	0	12	0	135	295	112
Toombs	33	8	1	65	27	9	12	0	155	277	197
Towns <sup>3</sup>	7	0	1	28	6	0	1	0	43	46	76
Treutlen	*	*	*	*	*	*	*	*	*	*	*
Troup	60	8	5	202	58	13	47	0	393	438	408
Turner	6	6	0	45	13	2	5	0	77	73	50
Twiggs <sup>3</sup>	18	1	0	11	7	4	24	0	65	48	51
Union	12	5	0	45	19	3	0	0	84	92	123
Upton	28	10	1	99	30	7	14	0	189	206	142
Walker <sup>4</sup>	24	6	4	98	38	11	15	0	196	54	180
Walton	38	4	5	121	65	16	18	0	267	333	416
Ware	34	9	1	117	32	13	3	0	209	394	151
Warren	*	*	*	*	*	*	*	*	*	*	*
Washington	27	4	4	49	18	2	1	0	105	130	134
Wayne	*	*	*	*	*	*	*	*	*	*	*
Webster	*	*	*	*	*	*	*	*	*	*	*
Wheeler	*	*	*	*	*	*	*	*	*	*	*
White	*	*	*	*	*	*	*	*	*	*	*
Whitfield	57	7	4	218	22	11	21	0	340	383	400
Wilcox	*	*	*	*	*	*	*	*	*	*	*
Wilkes	6	0	1	38	16	1	15	0	77	52	76
Wilkinson	12	3	0	29	9	2	9	0	64	61	113
Worth	19	4	1	53	28	7	15	0	127	181	184
<b>Total</b>	<b>5,201</b>	<b>764</b>	<b>695</b>	<b>14,422</b>	<b>10,552</b>	<b>1,578</b>	<b>2,759</b>	<b>68</b>	<b>36,039</b>	<b>51,326</b>	<b>34,554</b>

Note: 109 of 159 probate courts submitted data.

[\*] Caseload data not submitted.

<sup>1</sup>Reported one quarter.

<sup>2</sup>Reported two quarters.

<sup>3</sup>Reported three quarters.

<sup>4</sup>Data from calendar year 1998.

## Magistrate Courts

**M**agistrate court jurisdiction includes: civil claims of \$5,000 or less; distress warrants and dispossessory writs; county ordinance violations; misdemeanor deposit account fraud (bad checks); preliminary hearings; and summonses, arrest warrants and search warrants. A chief magistrate, who may be assisted by one or more magistrates, presides over each of the 159 magistrate courts in the state.

Magistrates may grant bail in cases where the setting of bail is not exclusively reserved to a judge of another court. No jury trials are held in magistrate court. If a defendant submits a written request for a jury trial, cases are removed to superior or state court.

The chief magistrate of each county assigns cases, schedules court sessions, appoints other magistrates (with the consent of the superior court judges) and sets policy for the magistrate court. The number of magistrates in addition to the chief is usually set by majority vote of the county's superior court judges.

Most chief magistrates are elected in partisan, countywide elections to four-year terms. In 28 counties, chief magistrates run as nonpartisan candidates. In 20 counties, the chief magistrate is appointed, as provided by local legislation. Terms for other magistrate judges run concurrently with that of the chief magistrate who appointed them.

To qualify as a magistrate, an individual must reside in the county for at least one year preceding his or her term of office, be 25 years of age, and have a high school diploma or its equivalent. Other qualifications may be imposed by local legislation.

At the end of fiscal year 1998, 159 chief magistrates, 323 magistrates and 14 senior magistrates served in Georgia. A magistrate court judge may also serve as judge of another limited jurisdiction court in the same county. Of the judges serving in magistrate court, 22 were also probate judges, three were civil court judges, and three were juvenile court judges or associate judges.

*Filings and dispositions are presented for those  
magistrate courts submitting caseload data  
to the Administrative Office of the Courts.*



## Magistrate Court Caseload, Fiscal Year 1998 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases Filed	Disposed	Civil Claims Filed	Disposed	Other Civil Cases Filed	Disposed	Total Warrants & Filings	Total Hearings & Dispositions
Appling <sup>2</sup>	807	520	391	136	884	469	217	217	2,299	1,342
Atkinson	*	*	*	*	*	*	*	*	*	*
Bacon	719	512	179	173	494	379	314	314	1,706	1,378
Baker	*	*	*	*	*	*	*	*	*	*
Baldwin	2,620	68	2,392	1,707	3,155	169	2,475	16	10,642	1,960
Banks	616	342	18	23	249	274	164	162	1,047	801
Barrow	2,993	1,434	79	79	781	781	934	931	4,787	3,225
Bartow	3,982	1,534	2,175	2,175	1,073	1,127	1,382	1,380	8,612	6,216
Ben Hill	1,302	1,056	768	557	704	672	750	750	3,524	3,035
Berrien	1,181	0	0	0	385	345	239	164	1,805	509
Bibb	7,016	5,410	4,140	3,921	5,353	6,766	3,015	2,701	19,524	18,798
Bleckley	510	398	456	432	268	274	183	209	1,417	1,313
Brantley	584	396	287	287	339	339	108	108	1,318	1,130
Brooks	795	405	0	0	671	656	229	218	1,695	1,279
Bryan	*	*	*	*	*	*	*	*	*	*
Bulloch	4,948	311	203	209	1,182	1,530	1,308	1,443	7,641	3,493
Burke <sup>3</sup>	809	252	12	12	608	365	347	132	1,776	761
Butts	*	*	*	*	*	*	*	*	*	*
Calhoun	*	*	*	*	*	*	*	*	*	*
Camden	1,648	602	1,510	605	905	386	692	305	4,755	1,898
Candler	571	1,164	163	0	152	95	212	159	1,098	1,418
Carroll	2,607	2,991	1,560	1,560	2,348	2,348	1,478	1,478	7,993	8,377
Catoosa	2,723	3,652	825	662	639	417	819	619	5,006	5,350
Charlton	607	547	277	238	264	267	161	112	1,309	1,164
Chatham	8,620	6,457	3,339	5,135	6,846	5,847	10,172	5,925	28,977	23,364
Chattahoochee	176	195	4	12	63	56	27	23	270	286
Chattooga	1,409	770	423	380	476	466	361	359	2,669	1,975
Cherokee	991	405	124	124	251	223	508	241	1,874	993
Clarke <sup>1</sup>	6,687	2,827	2,937	1,476	1,748	1,166	2,410	353	13,782	5,822
Clay <sup>2</sup>	108	44	0	0	25	24	16	15	149	83
Clayton	8,137	9,807	3,223	2,989	2,394	3,596	12,351	15,498	26,105	31,890
Clinch	372	6	36	36	326	326	135	135	869	503
Cobb	19,950	14,330	6,700	4,512	4,390	2,555	5,086	650	36,126	22,047
Coffee	517	911	2,450	1,143	1,947	1,936	1,384	1,304	6,298	5,294
Colquitt	2,887	691	227	12	1,682	93	919	21	5,715	817
Columbia	1,936	140	1,674	1,313	903	789	721	452	5,234	2,694
Cook <sup>3</sup>	834	16	227	0	513	404	182	174	1,756	594
Coweta	3,384	1,045	1,706	982	1,301	768	1,356	969	7,747	3,764
Crawford	*	*	*	*	*	*	*	*	*	*
Crisp	1,661	1,262	640	606	989	853	904	710	4,194	3,431
Dade	577	140	129	60	165	52	45	19	916	271
Dawson	1,007	764	15	0	280	336	167	11	1,469	1,111
Decatur	1,416	230	99	0	970	0	570	0	3,055	230
DeKalb	22,229	47,317	1,946	3,012	5,351	2,325	1,621	0	31,147	52,654
Dodge	1,049	0	421	421	597	348	209	109	2,276	878
Dooly <sup>3</sup>	350	168	80	0	440	362	298	210	1,168	740
Dougherty	6,319	6,797	1,845	1,923	3,924	3,787	6,952	6,202	19,040	18,709
Douglas	6,011	1,256	240	240	1,043	1,195	2,565	152	9,859	2,843
Early	746	21	0	0	487	487	163	163	1,396	671
Echols	*	*	*	*	*	*	*	*	*	*
Effingham	1,280	268	562	146	584	433	354	245	2,780	1,092
Elbert	1,781	750	6	9	461	390	329	189	2,577	1,338
Emanuel	852	702	497	436	1,272	1,203	792	782	3,413	3,123
Evans	*	*	*	*	*	*	*	*	*	*
Fannin	676	187	336	214	283	250	123	111	1,418	762
Fayette	1,449	1,083	1,136	792	594	586	738	484	3,917	2,945
Floyd	2,945	2,635	3,210	1,962	2,342	1,838	2,890	2,564	11,387	8,999
Forsyth <sup>2</sup>	1,741	428	81	38	316	214	181	125	2,319	805
Franklin	842	835	536	527	572	441	286	148	2,236	1,951
Fulton	12,983	30,562	46,940	27,366	8,157	10,004	42,460	25,785	110,540	93,717

## Magistrate Court Caseload, Fiscal Year 1998 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases Filed	Criminal Cases Disposed	Civil Claims Filed	Civil Claims Disposed	Other Civil Cases Filed	Other Civil Cases Disposed	Total Warrants & Filings	Total Hearings & Dispositions
Gilmer <sup>1</sup>	276	57	82	2	102	84	51	34	511	177
Glascocock	*	*	*	*	*	*	*	*	*	*
Glynn	4,894	2,954	2,373	2,680	2,781	2,781	2,450	2,440	12,498	10,855
Gordon	2,673	743	857	866	1,223	854	1,027	1,042	5,780	3,505
Grady	1,259	401	388	629	1,139	1,017	518	429	3,304	2,476
Greene	738	1,056	80	71	397	269	234	96	1,449	1,492
Gwinnett	14,090	6,729	2,633	2,902	4,563	4,538	11,762	11,694	33,048	25,863
Habersham	*	*	*	*	*	*	*	*	*	*
Hall	4,971	8,914	3,309	2,421	2,222	2,463	2,514	2,272	13,016	16,070
Hancock <sup>2</sup>	141	155	8	8	523	381	165	163	837	707
Haralson	1,200	65	231	148	450	274	279	173	2,160	660
Harris	1,134	509	233	231	417	342	267	230	2,051	1,312
Hart	633	414	381	177	714	629	341	341	2,069	1,561
Heard	*	*	*	*	*	*	*	*	*	*
Henry	2,708	4,746	1,079	1,079	1,389	1,086	1,433	515	6,609	7,426
Houston	6,865	2,758	96	2,631	2,224	2,476	2,411	2,870	11,596	10,735
Irwin	400	101	2	2	352	352	193	193	947	648
Jackson	2,598	1,751	1	1	830	1,112	917	1,160	4,346	4,024
Jasper	*	*	*	*	*	*	*	*	*	*
Jeff Davis <sup>3</sup>	615	457	368	368	629	629	306	306	1,918	1,760
Jefferson	675	430	582	582	1,222	1,222	533	533	3,012	2,767
Jenkins	473	49	2	2	594	237	300	31	1,369	319
Johnson <sup>1</sup>	147	17	17	10	59	23	38	10	261	60
Jones	665	78	0	0	460	347	161	160	1,286	585
Lamar <sup>2</sup>	486	269	141	129	227	222	185	234	1,039	854
Lanier	*	*	*	*	*	*	*	*	*	*
Laurens	4,355	4,289	1,257	1,257	1,204	1,248	1,156	1,156	7,972	7,950
Lee	627	465	643	582	610	605	504	415	2,384	2,067
Liberty	3,763	1,730	28	25	1,374	1,082	1,312	852	6,477	3,689
Lincoln	399	136	40	40	228	226	142	142	809	544
Long <sup>3</sup>	297	110	185	0	142	0	72	0	696	110
Lowndes	7,444	4,627	2,832	216	1,986	286	2,342	79	14,604	5,208
Lumpkin	672	468	382	0	76	44	86	71	1,216	583
Macon <sup>3</sup>	645	104	0	0	430	696	336	502	1,411	1,302
Madison	966	983	488	475	477	283	186	184	2,117	1,925
Marion <sup>3</sup>	106	91	0	0	143	86	148	120	397	297
McDuffie	640	49	612	91	778	689	893	867	2,923	1,696
McIntosh	725	579	59	59	255	248	53	44	1,092	930
Meriwether	*	*	*	*	*	*	*	*	*	*
Miller <sup>2</sup>	150	56	0	0	82	0	32	0	264	56
Mitchell	*	*	*	*	*	*	*	*	*	*
Monroe	1,589	221	346	300	700	467	315	345	2,950	1,333
Montgomery <sup>2</sup>	297	0	0	0	231	0	40	0	568	0
Morgan	630	666	230	177	504	426	411	291	1,775	1,560
Murray	*	*	*	*	*	*	*	*	*	*
Muscogee	0	0	0	0	1,962	668	0	0	1,962	668
Newton	3,115	844	1,664	1,670	1,096	823	1,159	819	7,034	4,156
Oconee	*	*	*	*	*	*	*	*	*	*
Oglethorpe	385	442	223	186	378	302	76	76	1,062	1,006
Paulding	*	*	*	*	*	*	*	*	*	*
Peach	133	502	831	265	1,204	240	661	157	2,829	1,164
Pickens	638	243	258	152	381	350	264	154	1,541	899
Pierce	1,088	294	20	16	486	448	239	169	1,833	927
Pike	464	441	26	27	260	251	126	105	876	824
Polk	*	*	*	*	*	*	*	*	*	*
Pulaski	489	247	0	0	420	284	165	106	1,074	637
Putnam	*	*	*	*	*	*	*	*	*	*
Quitman	*	*	*	*	*	*	*	*	*	*
Rabun <sup>1</sup>	302	0	91	90	178	169	57	50	628	309
Randolph	197	186	96	43	454	407	135	135	882	771

## Magistrate Court Caseload, Fiscal Year 1998 (cases filed)

County	Warrants Issued	Bond & Commitment Hearings	Criminal Cases Filed	Criminal Cases Disposed	Civil Claims Filed	Civil Claims Disposed	Other Civil Cases Filed	Other Civil Cases Disposed	Total Warrants & Filings	Total Hearings & Dispositions
Richmond	10,167	2,242	4,589	3,974	4,353	3,340	5,871	4,225	24,980	13,781
Rockdale	3,851	2,317	1,227	1,139	1,092	840	1,481	1,411	7,651	5,707
Schley	105	173	57	6	177	119	100	37	439	335
Screven	*	*	*	*	*	*	*	*	*	*
Seminole	249	79	93	93	230	213	69	69	641	454
Spalding	6,691	4,508	3,049	2,642	1,163	991	3,669	2,846	14,572	10,987
Stephens	*	*	*	*	*	*	*	*	*	*
Stewart	*	*	*	*	*	*	*	*	*	*
Sumter	3,226	2,600	0	0	2,107	2,218	1,547	1,118	6,880	5,936
Talbot <sup>2</sup>	77	26	3	0	150	150	26	25	256	201
Taliaferro	*	*	*	*	*	*	*	*	*	*
Tattnell	850	463	923	216	905	819	374	374	3,052	1,872
Taylor	484	157	0	0	222	151	108	2	814	310
Telfair	400	153	117	387	585	468	317	292	1,419	1,300
Terrell	699	659	224	154	403	87	258	48	1,584	948
Thomas	3,009	2,352	1,725	959	3,925	2,906	1,723	398	10,382	6,615
Tift	2,094	826	1,201	1,201	1,672	1,672	1,814	1,814	6,781	5,513
Toombs	4,390	141	2,190	2,121	1,468	610	1,181	235	9,229	3,107
Towns	395	45	0	0	82	83	47	45	524	173
Treutlen	*	*	*	*	*	*	*	*	*	*
Troup	3,754	2,034	838	134	4,264	3,523	4,141	3,421	12,997	9,112
Turner	*	*	*	*	*	*	*	*	*	*
Twiggs	434	250	78	25	307	154	112	84	931	513
Union	455	97	180	99	291	210	122	96	1,048	502
Upson	1,266	667	1,040	557	1,123	857	857	706	4,286	2,787
Walker	1,501	1,084	301	131	919	699	734	398	3,455	2,312
Walton	2,522	1,051	1,129	1,047	845	650	1,886	1,737	6,382	4,485
Ware	2,791	1,469	2,579	2,159	1,350	1,332	1,279	1,163	7,999	6,123
Warren	210	0	82	18	298	216	223	24	813	258
Washington	1,728	365	286	276	1,824	1,835	854	581	4,692	3,057
Wayne <sup>1</sup>	198	38	85	101	177	177	108	108	568	424
Webster	*	*	*	*	*	*	*	*	*	*
Wheeler	*	*	*	*	*	*	*	*	*	*
White <sup>3</sup>	524	336	264	87	213	179	132	99	1,133	701
Whitfield	3,157	1,886	1,444	1,444	2,516	2,516	2,654	2,654	9,771	8,500
Wilcox	*	*	*	*	*	*	*	*	*	*
Wilkes	228	130	91	7	431	297	239	132	989	566
Wilkinson <sup>2</sup>	314	69	7	7	724	724	243	243	1,288	1,043
Worth	381	70	0	0	291	291	150	150	822	511
<b>Total</b>	<b>292,867</b>	<b>231,356</b>	<b>144,200</b>	<b>108,236</b>	<b>144,809</b>	<b>121,005</b>	<b>181,616</b>	<b>131,846</b>	<b>763,492</b>	<b>592,443</b>

Note: 129 of 159 magistrate courts submitted data.

[\*] Caseload data not submitted.

<sup>1</sup>Reported one quarter.

<sup>2</sup>Reported two quarters.

<sup>3</sup>Reported three quarters.

## Municipal Courts and Special Courts

**T**hree hundred and eighty-nine local courts are part of the Georgia court system. These include courts serving incorporated municipalities and certain special courts.

Special courts that were originally created by statute or constitutional provision have limited civil and criminal jurisdiction throughout a county. These include the civil courts in Bibb and Richmond counties and the Municipal Court of Columbus. The recorder's courts of Chatham, Columbus-Muscogee, DeKalb and Gwinnett counties exercise criminal jurisdiction only.

Courts of incorporated municipalities try municipal ordinance violations, issue criminal warrants, conduct preliminary hearings, and may have concurrent jurisdiction over shoplifting cases and cases involving possession of one ounce or less of marijuana. Local courts that were originally known as city court, mayor's court, municipal court, police court or recorder's court were redesignated as municipal courts by the 1983 state constitution.

The City Court of Atlanta, which retains its original name, has city-wide jurisdiction over traffic cases and has been designated by legislation as a state court of limited jurisdiction.

Qualifications of judges and terms of office in municipal courts are set by local legislation.

# JUDICIAL AGENCIES



## Judicial Council

**T**he Judicial Council (OCGA §15-5-20) is the state-level judicial agency that develops policies for administering and improving the courts. The state legislature created the Judicial Council in 1973; in 1978 the council officially became an administrative arm of the Supreme Court of Georgia. The council considers requests for new superior court judgeships and makes recommendations to the General Assembly. The Administrative Office of the Courts (AOC) serves as staff to the council.

Twenty-four representatives of the appellate and trial courts make up the Judicial Council. The chief justice and presiding justice of the Supreme Court act as the chairperson and vice chairperson, respectively. The chief judge and another judge of the Court of Appeals; the presidents and presidents-elect of the superior, state, juvenile, probate and magistrate court councils; and the 10 superior court district administrative judges complete council membership.

The full council meets at least twice each year, as it did in December 1997 and June 1998. Requests for new judgeships are considered at the December meeting. In considering judgeship requests, the Judicial Council seeks to maintain a balance in caseload distribution for each circuit. Each year an evaluation of circuit caseloads, demographics and other circumstances is prepared for the judicial circuits. The AOC compiles caseload data collected by the

judicial administrative districts and presents these figures to the council for their consideration. The comprehensive data collection effort allows statistical comparisons to be made among circuits based on established criteria: weighted caseload, average filings, number of jury trials, open cases, circuit population and days of senior judge assistance.

In fiscal year 1998, the Judicial Council recommended to the legislature and governor the creation of six new superior court judgeships in five judicial circuits. Ranked by the council in priority order, the recommendations were for: a 10th judgeship in the Stone Mountain Judicial Circuit, a 7th judgeship in the Gwinnett Judicial Circuit, a 16th judgeship in the Atlanta Judicial Circuit, a 3rd judgeship in the Douglas Judicial Circuit, a 5th judgeship in the Ocmulgee Judicial Circuit, and a 17th judgeship in the Atlanta Judicial Circuit. The 1998 General Assembly approved the six recommended superior court judgeships. The new judges will serve initial terms beginning July 1, 1998.

The council also voted to carry forward a recommendation made in fiscal year 1996 to divide the Blue Ridge Judicial Circuit (Cherokee and Forsyth Counties) into two single-county circuits. Legislation authorizing division of the Blue Ridge Circuit was successful, and the Bell-Forsyth Judicial Circuit became a reality on July 1, 1998.

In addition, the council voted to approve a proposal creating a family court

pilot project in the Atlanta Judicial Circuit. This legislation was successful also, and the family court was launched on July 1, 1998.

In other matters before the council, curricula for the Georgia Magistrate Courts Training Council and the Georgia Municipal Courts Training Council were approved. Numerous judicial branch agencies reported on their projects and shared ideas.

The council also held a called meeting in April 1998 to discuss personnel matters.

---

## Administrative Office of the Courts

**T**he Administrative Office of the Courts (OCGA §15-5-22 and Supreme Court Order, August 5, 1983) serves and supports the Georgia judicial system and acts as staff to the Judicial Council. The director of the AOC, appointed by the Council, works under the supervision and guidance of the Chief Justice of the Supreme Court of Georgia. The AOC produces publications, reports, recommendations and statistical studies to inform and benefit the judiciary and improve the administration of justice. Preparation and analysis of annual caseload data for the trial court circuits is a principal agency function that allows informed decision-making by the Judicial Council regarding the need for additional superior court judgeships.

AOC professional staff assist judges in their work by planning and coordinating meetings, maintaining training and certification records, publishing newsletters, monitoring legislation and assisting with annual updates for benchbooks and handbooks. The AOC assists judicial policy-

making groups, consults on court special projects and coordinates technical support, including computer training. In addition the agency provides fiscal services to 17 judicial branch affiliate groups and coordinates the annual judicial branch appropriations request to the General Assembly. The office is a liaison to other state and national judicial groups.

Oversight of the Board of Court Reporting, a principal judicial branch board, is carried out by the AOC on behalf of the Judicial Council. Assistance to the Board includes: developing and administering statewide certification testing of court reporters, enforcing a Code of Professional Ethics for court reporters, long-range planning of continuing education programs and rule-making for the Board.

The AOC serves as secretariat for the Georgia Magistrate Courts Training Council and the Municipal Courts Training Council. Assistance is provided to the Council of State Court Judges, Council of Probate Court Judges, Council of Magistrate Court Judges and the Probate Judges Training Council. In addition, the AOC has supported the work of the Pro Se Litigation Committee, the Supreme Court Commission on Equality, the Georgia Courts Automation Commission, the Supreme Court Child Placement Proceedings Project and the Georgia Commission on Family Violence.

### Studies and special projects

On behalf of the State Child Support Task Force, the AOC conducted a survey of clerks of court to determine the number of child support petitions. A study was completed on the effect creation of a state court might have on a circuit's need for superior court judicial assistance. A report was prepared for the Judicial Council



## Duties of the Administrative Office of the Courts

(OCGA §15-5-24 and Orders of the Supreme Court)

- 1) Consult with and assist judges, administrators, clerks of court and other officers and employees of the court pertaining to matters relating to court administration and provide such services as are requested.
- 2) Examine the administrative and business methods and systems employed in the offices related to and serving the courts and make recommendations for necessary improvement.
- 3) Compile statistical and financial data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts, which shall be provided by the courts.
- 4) Examine the state of the dockets and practices and procedures of the courts and make recommendations for the expedition of litigation.
- 5) Act as fiscal officer and prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system.
- 6) Perform such additional duties as may be assigned by the Judicial Council.
- 7) Prepare and publish an annual report on the work of the courts and on the activities of the Administrative Office of the Courts.
- 8) Receive grants from any source, public or private, and expend funds and perform services in accordance with the terms of any grant.
- 9) Prepare, publish and distribute, from time to time, studies and reports relating to the administration of justice, impose reasonable charges for such reports where appropriate on either an individual or subscription basis and retain any proceeds of such charges.
- 10) Provide clerical, technical, research or other assistance to individual courts to enable them more effectively to discharge their duties.
- 11) Enter into contracts as necessary to perform its other duties.

concerning the request to divide the Flint Judicial Circuit.

In December 1997, the staff completed evaluations of pilot court proposals from the Atlanta Judicial Circuit, Cobb County, the Tallapoosa Judicial Circuit and the Tifton Judicial Circuit. Based on staff analysis the Judicial Council recommended approval of the Atlanta Family Court Pilot Project to the General Assembly. An evaluation of a pilot for a unified trial court in the new Bell-Forsyth Judicial Circuit was begun. Staff consulted with judges, clerks of court and court reporters regarding retention of evidence and exhibits, assisted with a grant application on behalf of the superior court clerk of Gordon County and helped plan and conduct an orientation seminar for foreign language interpreters. Data was provided to the Equality Commission on the National Bar Passage Study.

During the 1998 session of the General Assembly, AOC staff worked with the State Bar of Georgia and the Attorney General's

office to secure \$2 million to fund civil legal services for victims of domestic violence. Assistance was given to the State Bar Filings Committee and the State Bar Futures Subcommittee on Jury Reform.

### Publications/outreach

The AOC coordinates media relations and information releases on Judicial Council activities and receives inquiries from the press and the public. Up-to-date judicial branch information is available in the *Annual Report on the Work of the Georgia Courts*. The *Georgia Courts Directory* is published annually as is the "Guide to the Georgia Courts."

The *Georgia Courts Journal* is a source of court-related information published quarterly by the AOC. The *Journal* is sent to all judges, clerks of court, law schools, federal judges and state officials. During the legislative session the agency produces the *Judicial Legislative Log* each week to inform judges of court-related legislation as it is introduced in the General Assembly.

## Board of Court Reporting

**T**he Board of Court Reporting (OCGA §15-14-24) certifies and licenses all court reporters who serve the judicial branch. Court reporters are prohibited from practicing in Georgia without board certification. The board is authorized by the 1974 Georgia Court Reporting Act to assist the judiciary by encouraging high standards of professionalism among reporting practitioners. The Judicial Council of Georgia appoints board members, reviews the rules of the Board of Court Reporting, and sets official court reporting fees.

### Certification and permits

The court reporters certification exam is a skills test in one of three methods of takedown: machine shorthand, manual shorthand or closed microphone voice dictation silencer. The board held exams twice during the fiscal year, testing 258 applicants. Of these, 47 passed the requisite portions of the exam and became eligible for certification. One other applicant upgraded an existing certificate. The board also issued new certificates to 18 court reporters whose test scores met the accreditation requirements of the National Court Reporters Association or the National Stenomask Verbatim Reporters Association. Certificates for court reporters must be renewed yearly. At the end of the fiscal year, 1,086 certified court reporters were officially registered with the board.

A court reporter who is not certified may obtain a temporary permit from the board based on certain skills. A court

reporter holding a *board temporary permit* may work in a freelance or official capacity with the sponsorship of a certified court reporter, who agrees to supervise on a daily basis. Board temporary permits are issued for a single testing period and are not renewable. An uncertified reporter may work until the permit expires or the reporter becomes certified. Sixteen board temporary permits were issued during the year.

A temporary permit also may be issued at the request of a sponsoring judge. A reporter working under a *judicial temporary permit* is restricted to the sponsor's court and may not freelance. Judicial temporary permits can be revoked by the board only with approval of the issuing judge. Board rules require reporters on judicial temporary permits to take the board exam each time it is offered until they are certified. Twenty-one judicial temporary permits were issued in fiscal year 1998.

### Court Reporters

	1996	1997	1998
Officially registered	1,067	1,071	1,086
Certificates and permits issued:			
New certificates	55	49	47
Upgraded certificates	4	1	1
Board temporary permits	14	14	16
Judicial temporary permits	10	14	21
National accreditation certificates	10	20	18

### Takedown Methods

	1996	1997	1998
Grandfathered	89	78	77
Machine shorthand	581	595	605
Stenomask	376	379	386
Shorthand notes	21	19	17

Fourteen were renewals from previous years, and seven were new issues at the request of a sponsoring judge.

### Formal complaints

The board investigates complaints against court reporters and administers disciplinary action when warranted. Seventeen formal complaints were filed against court reporters in fiscal year 1998. Fifteen were dismissed for lack of merit, one was tabled pending further investigation, and one was tabled pending a hearing in a related matter. Most complaints involved allegedly incomplete, incorrect or untimely transcripts. One involved possible falsification of continuing education documentation. The board filed three complaints against court reporters who allegedly practiced in a method other than that in which they were certified.

### Professionalism

Continuing education for court reporters is mandatory. Numerous training opportunities are available in subjects pertinent to court reporters. Each reporter is required to earn 10 hours of course credit per calendar year. Board rules specify penalties for delinquency in meeting training requirements, including suspension of the reporter's license. Any reporter who has been delinquent in meeting training requirements for three years must re-test to be certified in Georgia.

In keeping with its charge to promote professionalism, the board enforces the *Code of Professional Ethics and Guidelines for Professional Practice*. The board issues advisory opinions on matters of ethical concern upon request.

---

## Council of Juvenile Court Judges

(Annual report for fiscal year 1998, as required by OCGA §15-11-4.)

**T**he Council of Juvenile Court Judges (OCGA §15-11-4) is composed of all judges of the courts exercising jurisdiction over juveniles. Council membership for fiscal year 1998 included 56 part- and full-time juvenile court judges, 50 superior court judges exercising juvenile court jurisdiction, 33 associate juvenile court judges and 10 pro tempore judges. Senior judges and retired judges are also members.

Council staff support the work of juvenile court judges through legal research services, legislative tracking and programs to assist in protecting the interests of children and the state.

Council policies are set by the executive committee comprised of the president, president-elect, vice president, secretary, treasurer and immediate past president. Eight standing committees—benchbook, education/certification, uniform rules, legislative, grants/unruly and delinquent services, information systems, permanency planning and past presidents—make recommendations to the executive committee. Designated judges are liaisons to the following agencies: Council of Superior Court Judges; Department of Human Resources (Division of Mental Health, Mental Retardation and Substance Abuse and Division of Family and Children Services); Supreme Court Child Placement Project; Children and Youth Coordinating Council; Department of Juvenile Justice;

Department of Education; Criminal Justice Coordinating Council; and Georgia Courts Automation Commission.

### **Purchase of Services Program**

The Purchase of Services Program is designed to provide community-based services for juveniles who are adjudicated or informally adjusted delinquents or status offenders.

The program is funded through a combination of federal, state, local and private sources. The federal funds, administered by the Children and Youth Coordinating Council, are provided through a grant under the Juvenile Justice and Delinquency Prevention Act of 1974. State funds are provided through a legislative appropriation to the Council of Juvenile Court Judges.

Funds made available through the Purchase of Services Program enhance court services through court-sponsored counseling, educational/tutorial assistance, drug screenings, psychological evaluation, short-term residential/therapeutic programs, and community works/restitution projects.

During the grant period of October 1, 1997, through September 30, 1998, 97 counties expended funds under the program. Approximately 4,800 juveniles participated in the program.

### **Permanent Homes for Children**

Permanent Homes for Children (PHC) staff provide support and technical assistance to juvenile court judges and judicial citizen review panels.

During fiscal year 1998, PHC staff assisted with foster-care review panels in 60 counties. In those 60 counties, an estimated 19,000 children were in paid foster

care or institutional placements. Case reviews are carried out by citizen review panels once every six months. The goal of panel reviews is to ensure reunification of the child and parents if at all possible, and if the child can be safely returned. If reunification is not an option, the panels work with the Division of Family and Children Services and other agencies to identify feasible permanency options such as adoption. Approximately 1,200 trained citizen volunteers served on panels statewide during the past year. Panel members are appointed by their local juvenile court judge and trained by PHC staff.

Nine PHC field representatives assist the local citizen review panels. In 1998, new foster care review panels were established in Dade, Catoosa and Cherokee counties. The computerized Consolidated Foster Care Child Tracking System provides the ability to track the foster care status of deprivation cases reviewed by Citizen Foster Care Review Panels throughout the state.

---

## **Council of Magistrate Court Judges**

**T**he Council of Magistrate Court Judges (OCGA §15-10-7), created to further improvement of the magistrate courts and the administration of justice, assists magistrates throughout the state in execution of their duties and assists in their training.

All chief magistrates and magistrates in Georgia are members of the council. The 28-member executive committee is comprised of six officers, two representatives from each of the ten judicial administrative

districts and two members-at-large. The committee carries out the administrative duties of the council.

The council held four meetings during the year to conduct business and training. Topics included: criminal constitutional law, the media and its interaction with the courts, the State Bar's Lawyer Assistance Program, and a legislative update. Meetings also feature a luncheon speaker and provide a forum for judges to discuss common problems and experiences. At the January meeting, the council sponsored a breakfast for legislators.

In addition, the council provided financial assistance to Heard County's magistrate court judges in a legal suit filed against the county concerning judges' salaries. The case was successful at the trial court level, but was appealed by the county. The council's Internal Affairs Committee assisted judges who had complaints filed against them. Support was given to successful legislation amending the Georgia Magistrate Courts Training Council statute and increasing the fees collected on abandoned motor vehicles. Work was begun on a uniform forms book. The *Georgia Magistrate Courts Newsletter* was published quarterly, and the council continued with plans to publish a pictorial directory.

---

## Council of Municipal Court Judges

**T**he Council of Municipal Court Judges (OCGA §36-32-40) was created to further the improvement of the municipal courts and the administration of justice. The council assists municipal court judges

throughout the state in the execution of their duties and promotes and assists in their training.

All judges of municipal courts are members of the council. The Executive Committee is composed of five officers and two representatives from each of the 10 judicial administrative districts. The council holds its annual meeting during its summer training conference and holds other meetings as scheduled by the president.

The council has numerous active committees working on fiscal matters, by-laws, advisors and mentors, the council's newsletter, Judge of the Day program, judicial survey, judges directory, liaison to the County and Municipal Probation Advisory Council, nominating, and hospitality.

---

## Council of Probate Court Judges

**T**he Council of Probate Court Judges (OCGA §15-9-15), created to further improvement of the probate courts and the administration of justice, is composed of judges and retired judges of the probate courts. The council has developed uniform rules and forms, a probate benchbook, a probate handbook and a publication entitled *Duties of Administrators and Executors of Decedents' Estates in Georgia*.

Council policy is set by an executive committee comprised of the president, president-elect, first vice president, secretary-treasurer and chairs of the standing committees.

The council met three times during fiscal year 1998. One meeting was held

jointly with the County Officers Association of Georgia (COAG). Judicial training at each meeting was planned by the Probate Judges Training Council. The Institute of Continuing Judicial Education assisted with the spring and fall seminars. Topics included: computer training, revision of the probate code, outpatient commitment procedures, elder abuse/elder care, case law update, traffic law update, changes in Department of Public Safety rules and regulations, pharmacology of intoxication, lawful use of speed-detection devices, criminal defense motions in conducting DUI bench trials, evidence in probate matters, judging and humanities, current issues in judicial ethics, and a legislative update. The training council also sponsored two training sessions for clerks, and allowed judges who taught at these sessions to receive credit toward their mandatory training requirements.

During the 1998 session of the General Assembly, the council worked successfully for passage of a bill amending the Probate Judges Training Council Act. The change allows the training council to submit names to the Judicial Qualifications Commission of judges who are delinquent in meeting training requirements. A six-month grace period is allowed on a case-by-case basis, following which the Judicial Qualifications Commission may take action.

Also during fiscal year 1998, the council completed and distributed a second edition of the *Handbook for Probate Judges*. The council contracted for revision of the *Probate Judges Benchbook* and for printing a *Handbook for Guardians*. Standard forms were made available on computer disk. The council also funded a Spanish version of their video on guardianship of adults and children.

The council began a cooperative effort with the Georgia Tech Research Institute to make some of the council's publications obtainable via the Internet. Probate court standard forms and the *Handbook for Personal Representatives* will be the first items available. In addition, judges will be provided assistance in creating their own web pages, with direct links to the council's web page. The project is scheduled for completion in fiscal year 1999.

---

## Council of State Court Judges

**T**he Council of State Court Judges (OCGA §15-7-26) was created to further improvement of the state courts, the quality and expertise of judges, and the administration of justice. Its membership for fiscal year 1998 totaled 97 judges serving in 66 courts. (One hundred judgeships are authorized.)

Council policies are set by its executive committee made up of the president, president-elect, secretary, treasurer, immediate past president and two members-at-large. The council has standing committees for strategic planning, educational programming, computers, uniform rules, and new judge training and mentoring. Central staff members assist in the organization of meetings and development of issues for committee discussions and provide information and research assistance.

Designated state court judges serve on judicial branch agencies, such as the Georgia Courts Automation Commission, the Institute of Continuing Judicial Education, the Supreme Court Commission on Equality, the Supreme Court Committee on



Substance Abuse and the Courts, the Georgia Municipal Association Municipal Courts Task Force, the State Bar's Bench and Bar Committee, and the Georgia Commission on Dispute Resolution.

Educational seminars were held in conjunction with council business meetings in October 1997 and May 1998. Over 70 judges attended both meetings and educational programs. Council business included the continuing development of a study to determine the need for new state courts and additional state court judgeships.

The council sponsored a "Judge of the Day" program during the legislative session. The designated judge attended committee meetings and was available to legislators to express comments or concerns regarding legislation.

The council continued to improve its communication network by publishing a newsletter and by exploring ways to provide Internet access for all state court judges and their staffs. The council also investigated ways to provide additional legal resources to judges through increased availability of computerized legal research tools.

---

## Council of Superior Court Clerks

**T**he Council of Superior Court Clerks (OCGA §15-6-50.2), composed of 159 superior court clerks, was created by an act of the General Assembly in 1990. The purpose of the council is to carry out the constitutional and statutory responsibilities conferred upon it by law, to further

the improvement of the superior courts and the administration of justice, to assist the superior court clerks throughout the state in the execution of their duties, and to promote and assist in the training of superior court clerks. Council officers are elected by the members to serve one-year terms.

During the last three years, the council has purchased bound copies of the Official Code of Georgia for clerks who are unable to secure local funds for the purchase. Since beginning the project, the council has distributed a total of 47 sets.

In fiscal year 1998, the Superior Court Clerks Manual Committee was appointed and began a three-year project of preparing an operating manual for superior court clerks. The committee will also implement training for clerks-elect. The training is in the planning stage and will be mandatory for newly elected clerks prior to their taking office.

The Committee for the Calculation, Collection and Distribution of Fines, Forfeitures and Court Costs completed its work. The committee developed and distributed a booklet endorsed by the council, as to the proper procedure for calculation, collection and distribution of these funds. This committee was assisted in developing accounting standards by the Administrative Office of the Courts and the Georgia Courts Automation Commission.

The 1997 edition of the pictorial directory of superior court clerks was completed and prepared for distribution to council members and state and county agencies.

The council has a site on the World Wide Web featuring updates on council projects, links to related web sites, and articles informative to superior court clerks.



## Council of Superior Court Judges

**T**he Council of Superior Court Judges (OCGA §15-6-34) was created in 1985 to further improvement of the superior courts and the administration of justice in Georgia. All superior court judges and retired superior court judges are eligible for council membership. In fiscal year 1998, 169 active judges and 58 senior (retired) judges were members of the council.

The council holds two business meetings each year in conjunction with its summer and winter continuing education programs. Under the council's constitution and bylaws, an executive committee manages activities and projects. It is composed of three officers elected by the membership, the immediate past president and the 10 district administrative judges. Central office staff: 1) assist in identifying policy issues, 2) promote long-range planning efforts, 3) coordinate committee activities, 4) develop bench publications and updates, 5) track legislation and oversee legislative initiatives, 6) assist in the formulation of state budgets, 7) provide legal assistance to judges assigned death penalty habeas corpus cases and 8) provide administrative support to the sentence review panels.

Standing and special committees recommend actions in the areas of fiscal administration, personnel, continuing education, courts automation, compensation and retirement and court rules. Council representatives also fill appointed seats on judicial, legal or legislative panels.

The council's activities are governed by four strategic goals: 1) enhanced pub-

lic support for the superior court; 2) consistent, adequate resources and funding from the state level; 3) a unified trial court system; and 4) more efficient, effective use and selection of juries. During fiscal year 1998, the council's Long-Range Planning Committee oversaw production of a juror-orientation video, sought start-up funds for offices of newly created judgeships and participated in a working group on court consolidation.

Other committee activities included: revisions to the Suggested Pattern Jury Instructions (January 1998), production of a computer disk version of the Superior Court Benchbook, provision of automated legal research for judges, development of rules and policies for state-paid superior court personnel and informational workshops for judges with the State Board of Pardons and Paroles. Personal computers and related equipment were purchased for judges from budgeted and surplus state funds.

The council approved amendments to Uniform Superior Court Rule 1.2, *Authority to Enact Rules Which Deviate From the Uniform Superior Court Rules*, and Rule 31.4, *Notice of Intention of Defense to Raise Issues of Insanity, Mental Illness or Mental Competency*. Rule 2.6, *Non-Sexist Pronouns*, was deleted subsequent to revisions substituting gender-neutral language for gender-specific language in all rules. Amendments to Rule 16, *Leaves of Absence*, and Rule 13.1, *Arguments, Time Limitations*, were under study.

The 1998 legislative session marked the fourth year for the council's "Judge of the Day" program. These superior court judges attend judiciary committee meetings and are available to provide information throughout the legislative process. The council successfully sought passage of

measures for: enhancements to judges' retirement benefits for qualified judges who retired before the effective date of previous changes; two additional judgeships for the Atlanta Circuit and one additional judgeship each for the Douglas, Gwinnett, Ocmulgee and Stone Mountain circuits; and an increase in the daily compensation for senior judges serving in superior court.

Continuing education seminars for superior court judges were held in August 1997 and January 1998. One hundred and seventy judges attended the summer program and 152 participated in the winter program. Superior court judges served as faculty for these and other seminars conducted by the Institute of Continuing Judicial Education.

### Sentence Review

Sentence review panels evaluate the sentences of convicted offenders to assure that a given sentence is not excessive in relation to other sentences for similar crimes. In making comparisons, the panel

considers the nature of the crime and the defendant's prior criminal record. Each sentence review panel is composed of three superior court judges. Panel members, including a substitute, are appointed.

Cases subject to panel jurisdiction are those with sentences totaling 12 or more years set by a superior court judge without a jury. Exceptions include sentences set in misdemeanor cases, murder cases where a life sentence has been applied and cases involving serious violent felonies as defined in OCGA §17-10-6.1(a). The panel may reduce or suspend sentences, but is prohibited from increasing punishments.

The panel reviews sentences upon application of a defendant. Defendants must act within 30 days of the date sentenced by the superior court judge, or after remittitur from the Court of Appeals or Supreme Court affirming that conviction, whichever occurs last. Panel actions are not reviewable. Orders are binding on the defendant and the superior court that imposed the sentence.

### Sentence Review Panel Caseload Summary

#### 10-Year Comparison of Cases Reviewed

	Cases Affirmed	Cases Reduced	Percent Reduced
1989	1,889	74	3.8%
1990	2,804	72	2.5%
1991	2,790	113	3.9%
1992	2,557	57	2.2%
1993	2,362	46	1.9%
1994	1,627	45	2.7%
1995	859	57	6.2%
1996	854	8	.9%
1997	849	42	4.7%
1998	759	20	2.6%

**Note:** Effective July 1, 1993, the panel's jurisdiction was changed from covering sentences totaling five or more years to covering sentences totaling twelve or more years (OCGA §17-10-6). This may account for the decline in the number of cases reviewed.

## County and Municipal Probation Advisory Council

(Annual report for fiscal year 1998  
as required by OCGA §42-8-101)

**T**he County and Municipal Probation Advisory Council (OCGA §§42-8-100–108) was created in 1991 and reconstituted in 1996. Its mission is to insure that uniform professional standards and uniform contract standards are maintained by private companies that render general misdemeanor probation supervision, counseling and collection services to the courts. The statutes require that all private companies contracting with courts to provide probation services submit an initial registration report and quarterly activity reports to the council.

The council's responsibilities include:

- providing administrative direction, management and oversight of private probation services;
- reviewing uniform professional standards and uniform contract standards and reporting to the General Assembly;
- establishing a 40-hour program of orientation for new private probation officers and a 20-hour program of annual continuing education;
- promulgating rules and regulations regarding noncompliance;
- promulgating rules and regulations for the registration of all private service providers;
- producing an annual report;
- promulgating rules and regulations requiring criminal records checks of all private probation officers.

### Private Probation Services: Fiscal Years 1997 and 1998

Probationers supervised	1997	1998
Superior	1,154	2,864
State	26,692	26,784
Probate	8,839	10,222
Magistrate	2,069	3,019
Municipal	42,263	50,243
<b>Total</b>	<b>81,017</b>	<b>93,132</b>

Courts served	1997	1998
Superior	26	49
State	30	36
Probate	52	60
Magistrate	32	44
Municipal	223	249
<b>Total</b>	<b>363</b>	<b>438</b>

#### Total court-collections

<b>1997</b>	\$30,589,855
<b>1998</b>	\$41,282,976

The council's uniform standards include regulations governing professionalism of private probation officers, contract terms for probation services, conflicts of interest, confidentiality, registration and training.

Eleven voting members comprise the council. They include: a superior court judge, a state court judge, a probate court judge, a magistrate court judge and a municipal court judge, each designated by the respective judges' councils and representing a judicial circuit, county or municipality contracting with a private probation company; a sheriff; a mayor or member of a municipal governing authority; a county

commissioner; a public probation officer; a private probation officer or individual with expertise in the field; and the commissioner of corrections or a designee.

During fiscal year 1998, the council held quarterly meetings and approved the registration of two new private probation providers. Council staff responded to numerous inquiries from new and potential vendors. Staff members also participated in judicial training sessions during the year.

---

## Georgia Commission on Dispute Resolution

**T**he Georgia Commission on Dispute Resolution (established by Georgia Court and Bar Rules-Alternative Dispute Resolution Rules II) succeeded the Joint Commission on Alternative Dispute Resolution in February 1993. This policy-making body is appointed by the Supreme Court of Georgia to oversee the development of court-annexed and court-referred alternative dispute resolution (ADR) programs in Georgia. The members of the commission are judges, lawyers and nonlawyers who meet regularly to consider issues important to the development of court-connected ADR in Georgia. Meetings of the commission are open to the public.

The Georgia Office of Dispute Resolution serves as staff for the Georgia Commission on Dispute Resolution. Its responsibilities include: 1) to serve as a resource for ADR education and research; 2) to provide technical assistance to new

and existing court-connected programs at no charge; 3) to provide training to neutrals in courts throughout the state at no charge; 4) to implement the commission's policies on qualification of neutrals and quality of programs; 5) to maintain the registry of neutrals; and 6) to collect statistics and monitor program effectiveness.

ADR court-connected services are now available in 81 counties. Permanent funding for ADR programs was established in April 1993 by act of the General Assembly (OCGA §15-23-1-13). A filing fee surcharge not to exceed \$7.50 in addition to all other costs may be collected in each civil action in superior, state, magistrate and probate courts and used for fund local ADR programs.

Training and other technical assistance has been provided to 29 local programs. Grants to local ADR programs are made using funds from the Georgia Bar Foundation. Staff are available to assist courts in the design and implementation of new programs.

In fiscal year 1998, the Georgia Office of Dispute Resolution continued its ongoing project to collect uniform, statewide statistics. The commission received a grant from the State Justice Institute for a survey of participant satisfaction with the mediation process. With analysis of the data gathered from Georgia court mediation programs, a method of evaluating court-connected mediation will be devised.

The report of the Long-Range Planning Committee chaired by former Chief Justice Harold Clarke was adopted by the Commission on March 5, 1998. Three long-range goals were described: 1) to encourage the expanded availability and diversity of court-connected ADR options through education, technical assistance,

and training; 2) to support and encourage effective dispute resolution systems in government, the schools and the private sector; 3) to remain open to continuous review of commission policies, procedures and rules.

---

## Georgia Commission on Family Violence

**T**he Georgia Commission on Family Violence, created in 1992 by the General Assembly (OCGA §19-13-31), is charged with developing a comprehensive state-wide plan to end family violence.

During fiscal year 1998, the Commission hosted its fourth annual conference, “Creating Community Safety: Quality Interventions and Collaboration.” The 320 participants included members of family violence task forces, social services personnel, counselors, medical personnel, judges, law enforcement personnel, probation officers and commission members.

In August, the commission released *A Model Medical Protocol for Family Violence Incidents*. The protocol provides model procedures for universal screening, treatment and referral of victims of domestic violence. Copies of the protocol were distributed to Georgia shelter directors, task force chairs and medical associations. In-depth training in setting up the protocol and modifying it for local use, along with practical examples for using the protocol, were offered at the annual conference.

During the 1998 session of the General Assembly, the commission’s legislative committee supported the passage of bills which strengthened the state’s stalking

statute, created a misdemeanor for obstruction of a 911 emergency call and secured \$2 million to fund civil legal services for victims of domestic violence.

The commission worked in conjunction with Men Stopping Violence to offer the Georgia Anti-Violence Training Project. An annual report assessing the activities of family violence task forces around the state was published. Ongoing projects included a quarterly newsletter, quarterly meetings and an Internet website.

Membership is by appointment. The commission is comprised of one judge from each of the 10 judicial districts, three advocates for battered women, and one representative from each of the following groups: the academic community, the child abuse prevention community, the elder abuse prevention community, a former victim of domestic violence, the legal aid community, Men Stopping Violence, the probation system, the Administrative Office of the Courts, the Criminal Justice Coordinating Council, the District Attorneys’ Association of Georgia, the Georgia Association of Chiefs of Police, the Georgia Peace Officer Standards and Training Council, the Georgia Sheriffs’ Association, the Solicitors’ Association of Georgia, and the State Board of Pardons and Paroles. The membership also includes three members of the Georgia House of Representatives appointed by the Speaker of the House and three members of the Senate appointed by the President of the Senate. Ex-officio members include the director of the Division of Family and Children Services, the director of Women’s Health Services and the state Attorney General.

The commission is assigned for administrative purposes to the Administrative Office of the Courts.

---

## Georgia Courts Automation Commission

(Annual Report for calendar year 1998,  
as required by OCGA §15-5-82.)

**T**he Georgia Courts Automation Commission (OCGA §15-5-80) addresses the automation needs of the courts. A primary duty of the commission is to define, implement and administer a statewide courts automation system. The system will include data collection and entry, data storage and processing, and information retrieval and distribution.

The Administrative Office of the Courts (AOC) provides project direction, staff, fiscal services, and budget coordination for the commission. Additional staff support is provided by the Department of Administrative Services (DOAS).

### Child Placement Project

The Case Plan Reporting System is a pilot project sponsored by the Supreme Court Child Placement Project and the Division of Family and Children Services (DFACS). In fiscal year 1998, the Child Placement Project contracted through the Georgia Courts Automation Commission (GCAC) with the Georgia Tech Research Institute (GTRI) to develop a web-based database with built-in security features for use in the juvenile courts. This database will contain information currently provided to the courts on paper case plan reports by DFACS case workers. The goal of the project is for this data to be entered and updated on the Internet. Once at court,

authorized personnel with passwords will simply go to the web site and print the child's case plan report. Over time, the database will contain case plans for all children found to be deprived by the juvenile courts.

### Electronic courtrooms

Under contract with GCAC in fiscal year 1998, ExhibitOne Corp. installed electronic evidence presentation equipment in two trial courts in Georgia—one in DeKalb County and one in Chatham County. Both courtrooms feature a central podium housing a projection system which displays on an overhead screen. The first installation, in Decatur, also features two large-screen video monitors for the gallery, and monitors in the jury box, counsel tables, and bench. Monitors in the central podium and the witness box feature light pens which allow lawyers and witnesses to highlight displayed exhibits. In addition to displaying documents, photographs and x-rays, the system includes a VCR and an audio cassette player.

### Georgia Justice Information System

In fiscal year 1998, GCAC installed the new Windows-based Georgia Justice Information System in Baldwin County. The system provides for the flow of criminal information from the law enforcement offices and magistrate court, through the prosecutor's office, to the state or superior trial court, then to final disposition. GCAC contracted with the jail system vendor in the county to provide defendant information which can be used by either the solicitor-general or the district attorney to prepare an accusation or indictment. This reduces duplicate data entry in criminal cases. Criminal, civil, and traffic cases, as well as all accounting data, are contained

in one system, enhancing the efficiency of the courts in Baldwin County. In the future, the system will be made available to other counties.

### Georgia Tech Research Institute Programs

**Superior/State and Juvenile Court Projects.** In fiscal year 1998, GTRI remained under contract with GCAC to create statewide databases for superior, state and juvenile courts. This multi-year project involves the collection of data for state statistics, case counting, reporting to various state agencies, and inquiry data for judges and other authorized court staff. The objective of both the superior/state and juvenile court projects is to provide the Georgia judiciary and designated state agencies with an information management system that is usable, real-time, on-line, integrated, and secure.

To meet this objective, a standard set of data elements was created, along with a standard set of reports. Data elements for the superior/state project include party information, case category, trial events, and dispositions.

Authorized users with passwords will access the database(s) over a secure private network using Netscape or Internet Explorer browsers. Plans for the superior and state court databases include: electronic reporting to the Georgia Crime Information Center (GCIC), integrating the courts' database with other state agencies, such as the Department of Corrections, The State Board of Pardons and Paroles, the Department of Public Safety and the Division of Family and Children Services.

The juvenile court database contains the same stringent security features. The juvenile court data elements, however, differ from those in the superior/state court data-

base by including each child's demographic information, and information on parents, guardians or interested persons.

**Probate Court Project.** The public will soon be able to download all Georgia probate court standard forms from the Internet. In the future, users will also have the ability to enter data into a web-based form, print the completed form, and save it. County clerks may then retrieve the data, collect fees, assign an estate number and permanently file the form.

### Georgia Uniform Traffic Citation System

The Georgia Uniform Traffic Citation System (GAUTC) is available to municipal, probate and state courts for processing traffic citations. This product was tested in the Municipal Court of Lake City and has been adopted by over 40 courts handling traffic cases. A fee-and-fine system was incorporated into the UTC to create the Georgia Traffic Management System. The system provides for a docket, fee and fine collection and disbursement, and for electronic reporting of citations to the Department of Public Safety. This software system can reduce the time required to post new information on driver records from several months to a matter of days.

### SUSTAIN

GCAC continues to provide automated case management in the superior courts. The SUSTAIN court case management software system has now been installed in 32 of Georgia's superior courts. The Douglas Judicial Circuit was the first single-county site, and the Middle Judicial Circuit (Candler, Emanuel, Jefferson, Toombs and Washington counties) was the first multi-county judicial circuit to install the system under GCAC's state-wide license.



Twenty-six other superior courts are now using this software, including the Rome Circuit and all five counties in the Northern Circuit. Sixteen more courts are in line for installation of the new Windows version of the software. The accounting module of the software has been installed in Baldwin, Douglas, Elbert, Wheeler and White counties. GCAC, the Council of Superior Court Clerks and the Clerks' Association worked to develop standard accounting policies to facilitate further installation of the accounting module.

The Washington County Superior Court was the first SUSTAIN site to report automated criminal case dispositions electronically to the Georgia Crime Information Center (GCIC). Electronic data transmission reduces or eliminates the need for local counties to submit data in paper form, and improves the timeliness, accuracy and completeness of information. During 1998, this disposition capability was installed in 26 more courts. Any court using the SUSTAIN software can transmit dispositions electronically to GCIC.

During 1998, SUSTAIN software was installed in two probate, 12 magistrate, nine juvenile courts, and one municipal court. The system has also been installed in the Flint and Ogeechee Judicial Circuits district attorneys' offices.

The GCAC Help Desk is accessible to users of GCAC systems and superior and state court judges via a toll-free number. Users may contact the support team with questions about the application systems, hardware, operating system software, or networking issues. The help desk gives access to technicians providing direct support to judges for personal computer operating systems, word processing, spreadsheets, electronic mail, and networking.

---

## Georgia Indigent Defense Council

**T**he Georgia Indigent Defense Act (OCGA §17-12-32) provides a program of legal representation for indigent defendants and created the Georgia Indigent Defense Council (GIDC). The council's 15 members are appointed by the Supreme Court of Georgia. Membership includes one lawyer from each of the 10 judicial administrative districts, three nonlawyers from the state at large and two county commissioners.

The purposes and duties of the council are:

- 1) to administer funds provided by the state and federal government to support local indigent defense programs;
- 2) to recommend uniform guidelines for local programs;
- 3) to provide technical and research assistance, clinical and training programs and other administrative services; and
- 4) to prepare budgets, reports and management information required for implementation of the Georgia Indigent Defense Act.

The council monitors implementation of Supreme Court guidelines adopted in 1992 for operation of local indigent defense programs. These guidelines cover appointment of counsel on a timely basis; eligibility determinations and criteria to qualify indigents; standards for operation of public defender offices, panel attorney programs and hiring of contract defenders; appointed attorney fees; procedures to insure the independence of court-appointed counsel; roles and responsibilities of local indigent defense governing



committees; and the mechanism for distribution of state-appropriated funds.

During fiscal year 1998, monetary assistance was provided to 141 counties for operation of their indigent defense programs. These grants, totaling more than \$4.6 million, were funded from state appropriations, the Georgia Bar Foundation and the Sheriffs and Clerks Trust Account Program. In fiscal year 1999, 143 counties will receive state funds for indigent defense programs.

The council provides assistance to local programs through the following divisions:

The Compliance Division distributes state funding to the counties for their indigent defense programs. It also monitors and evaluates county indigent defense programs statewide and responds to requests for assistance from jail inmates and defendants.

The Appellate Division is a source for consultation, research and advice on appellate issues and procedures. It assists the other divisions in preparing appeals and prepares and submits *amicus* briefs on pertinent issues.

The Mental Health Advocacy Division (MHAD) is a statewide resource center for attorneys and service providers who work with mentally ill criminal defendants. The division consults on pretrial motions, strategies, and interpretation of mental health

information and represents defendants who have already been found not guilty by reason of insanity. During fiscal year 1998, the division initiated 176 cases, closed 135 and, at the end of the fiscal year had 197 open cases.

The Multicounty Public Defenders Office (MPD) is a trial resource center for attorneys handling death penalty cases. The office provides assistance to any attorney who has been appointed to defend a person charged with a capital offense. The office may serve as co-counsel in the trial and in any direct appeal of cases where the defendant faces the death penalty. It may also provide direct representation. The office publishes a quarterly newsletter, "Capital Ideas," containing death penalty case updates in Georgia and the U.S.

The Professional Education Division offers seminars "at cost" to attorneys accepting appointed cases. The goal is to enhance the abilities of defense attorneys to provide effective representation for indigent clients. The division publishes newsletters and the Defender Handbook Series.

The Juvenile Advocacy Division provides support and consultation to attorneys and guardians ad litem. In fiscal year 1998, the staff provided individual case consultation, conducted training seminars, provided training materials, and monitored the effects of new laws impacting juveniles.

## Georgia Magistrate Courts Training Council

(Annual Report for calendar year 1998, as required by OCGA §15-10-134.)

**T**he Georgia Magistrate Courts Training Council (OCGA §15-10-132) supervises continuing judicial education requirements for magistrate court judges, prescribes minimum standards for magistrate training curricula and establishes the criteria for magistrate certification. The council approves instructor qualifications and issues training certification to chief magistrates and magistrates who satisfactorily comply with mandatory continuing judicial education programs. The five magistrate

court judge members are appointed by the president of the Council of Magistrate Court Judges to two-year terms. Prior to changes in the statute made by the 1997 General Assembly, members were appointed by the governor. The director of the AOC serves as non-voting secretary.

Nonlawyer magistrates who are newly elected or appointed must attend the first scheduled certification course after assuming office and successfully complete 40 hours of training. To maintain certified status, all magistrates (including those who are members of the State Bar of Georgia) must fulfill an annual 20-hour recertification training requirement.

In calendar year 1998, the training council sponsored two 40-hour seminars covering civil and criminal matters. Magistrates needing recertification training may attend part of a 40-hour program to fulfill the 20-hour requirement. Two 20-hour recertification programs were held. In

### Georgia Magistrate Courts Training Council: 1998 Seminars

Seminar	Location	Attendees
40-Hour Certification	Athens	45
20-Hour Recertification	Lake Lanier	53
Judging and Humanities	Athens	18
Judicial Use of Computers	Athens	16
Judicial Ethics and Professionalism	Jekyll Island	58
Fact-Finding and Decision-Making	Marietta	52
20-Hour Recertification	Savannah	176
40-Hour Certification	Athens	48
Domestic Violence	St. Simons	92
<b>Total</b>		<b>558</b>

**Note:**

480 magistrates were certified by training in 1998. Attendance figures include magistrates who attended more than one program, judges of other courts, and trainers.

addition, five specialty courses were offered: Domestic Violence; Judging and Humanities; Judicial Use of Computers; Judicial Ethics and Professionalism; and Fact-Finding and Decision-Making. The council also sponsored training for magistrate court clerks and secretaries.

Judges may obtain recertification credit of up to four hours per year by attending training at the Council of Magistrate Court Judges quarterly meetings.

During the 1998 legislative session, the council successfully pursued legislation to upgrade the training requirements. Accordingly, in 1999 the training requirements for new magistrates will be increased to include 80 hours of training over a two-year period (40 hours of civil coursework and 40 hours of criminal coursework). Attorney magistrates are exempt from these requirements. Additionally, all new magistrates, including attorney magistrates, must participate in a mentoring program developed by the council. They must do so within the first year of service as a magistrate.

The council held three meetings in fiscal year 1998. Decisions made during these meetings included revising the council's bylaws, authorizing the purchase of a digital camera for the newsletter editor, purchasing new computer equipment for Crisp County to continue testing and upgrading the Fee and Fine Accounting System, adopting a policy allowing magistrates to receive up to six hours of credit for compatible training given to municipal court judges, and waiving tuition for certification training for senior magistrates.

The following publications were distributed: the *Magistrates Benchbook* (to new magistrates) or its update (to sitting magistrates), the *Georgia Magistrate Court Handbook* or its supplement by Judge Wayne

M. Purdom, and the *Magistrate Court Guide* by Judge Johnny W. Warren. In addition, magistrates were given a choice of receiving either the *Georgia Law Enforcement Handbook* published by the Harrison Company or the Michie Company's *Georgia Criminal and Traffic Law Manual*. New non-lawyer magistrates also received a video and study guide on bench demeanor and trial skills. The Automated Fee and Fine Accounting System software is also available to judges on request.

---

## Georgia Municipal Courts Training Council

(Annual Report for calendar year 1998,  
as required by OCGA §36-32-24 )

**T**he Georgia Municipal Courts Training Council (OCGA §36-32-22) prescribes minimum course requirements and training criteria for municipal court judges and supervises completion of the continuing education requirements. The council sets minimum qualifications for instructors, approves schools, keeps training records, and issues certificates of course completion.

Newly appointed or elected judges must attend a 20-hour certification course within twelve months of assuming office. All other municipal court judges must attend 12 hours of instruction annually to maintain their certification. All pro hac vice or pro tem appointees must also be certified.

With the Institute of Continuing Judicial Education (ICJE), the training

council offered two initial and five recertification courses during fiscal year 1998. The initial certification course includes the following topic areas: serious traffic offenses, caseload management and court administration, judicial ethics and discipline, professionalism, local ordinance adjudication, and criminal law and procedure.

In calendar year 1998, the recertification course offerings included an update for non-jury traffic courts, domestic violence specialty course, computer applications for the courts, judicial ethics and judging and humanities. There were 34 new judges certified in 1998, and 296 judges were recertified.

Courses sponsored by the training council are usually creditable as mandatory continuing legal education hours for part-time judges who practice law. Municipal court judges have the option of attending nationally sponsored judicial training such as the annual ABA traffic seminar, National Judicial College courses, and those

of the Institute for Court Management. Other ICJE training is creditable if the subject matter is relevant to the duties of a municipal court judge.

During 1998, the training council distributed its revised benchbook. The council also provided each judge with a copy of the *Georgia Law Enforcement Handbook* published by Harrison Company.

## Georgia State-Federal Judicial Council

The State-Federal Judicial Council (Supreme Court Order, Nov. 9, 1990) was established to foster a cooperative relationship between the state and federal courts. Council membership includes Georgia's federal judges, justices of the Supreme Court of Georgia, judges of the Court of Appeals of Georgia and judges of the superior courts.

The executive committee is comprised of the chief judge of the Eleventh Circuit Court of Appeals; three U.S. District Court judges and one U.S. Bankruptcy Court judge named by the chief judge of the Eleventh Circuit Court of Appeals; the chief justice of the Supreme Court of Georgia; the chief judge of the Court of Appeals of Georgia; five superior court judges named by the chief justice; the president of the Council of Superior Court Judges; and the president-elect and immediate past-president of the State Bar of Georgia.

The June 1998 annual meeting featured a panel discussion on lawyer discipline and the State Bar rules for disciplinary proceedings. The program was presented at the State Bar of Georgia annual meeting.

### Georgia Municipal Courts Training Council: 1998 Seminars

Seminar	Location	Attendees
Basic Orientation for New Judges	Athens	41
Judging and Humanities	Athens	15
Judicial Ethics	Jekyll Island	18
Update for Non-jury Traffic Courts	Savannah	187
Basic Orientation for New Judges	Athens	70
Judicial Use of Computers	Athens	14
Domestic Violence Specialty Course	St. Simons	27
<b>Total</b>		<b>372</b>

## Institute of Continuing Judicial Education

**A**s an administrative arm of the Supreme Court (Supreme Court Order, Jan. 26, 1979), the Institute of Continuing Judicial Education (ICJE) has had responsibility for the training of all judicial personnel since 1981. Judges, clerks, court administrators, judges' secretaries, juvenile court probation officers and administrative law judges attended ICJE continuing education programs in fiscal year 1998. Attendee contact hours for the more than 3,000 individuals totaled 53,046 hours.

Training requirements are mandatory for most judges. Supreme Court justices and Court of Appeals judges must complete a minimum of 12 hours of instruction each year, with at least two hours devoted to legal or judicial ethics. Superior court judges must attend judicial education programs totaling at least 12 hours per year, including two hours of judicial ethics every two years. Rule 43 of the Uniform Rules of the State Courts mandates that state court judges attend continuing legal and/or judicial education courses totaling 24 hours every two years. This must include two ethics hours. Juvenile court judges are required to complete 12 hours of continuing education each year.

The Probate Judges Training Council requires a training program for new judges and 12 hours of continuing education annually. Magistrate court judges fulfill an initial 40-hour training requirement (attorney magistrates are exempt) and annually

attend 20-hours of recertification training. Municipal court judges complete an annual 12-hour certification course. New judges must fulfill a 20-hour training requirement. Superior court clerks complete 40 hours of basic mandatory training and 15 hours of yearly mandatory training courses.

For more information on seminars, please refer to the chart on page 62.

### Other ICJE initiatives

- A project was launched to deliver computer training courses through local and regional providers. Augusta State University and Clayton College and State University collaborated with ICJE and the Georgia Courts Automation Commission to provide these courses.

- More than 500 copies of Harrison's *Georgia Law Enforcement Handbook* and Michie's *Georgia Traffic and Criminal Law Manual* were distributed to magistrates and municipal court judges.

- The Anti-Defamation League's curriculum, "A Work Place of Difference," was presented to superior court judges.

- Volunteers took part in the pilot testing of a judicial education curriculum designed by the National Judicial Education Project to Promote Equality for Women and Men in the Courts.

- Handling domestic violence cases received special emphasis in recertification and specialty courses for magistrate and municipal court judges. A videotape project was completed so that each circuit will have training materials to assure that all judges are handling domestic violence cases with consistency and a common understanding.

### Administration

The ICJE fiscal year 1998 operating budget of \$1,086,835 was initially allocated

as follows: \$610,017 for general administration operations; \$460,000 for nationally based travel and training of superior court judges; \$274,297 for training of magistrate court judges and staff; \$88,071 for training of municipal court judges and staff; \$46,500 for on-site services, mandatory continuing legal education fees and special projects; and \$7,950 for training of court reporters.

The ICJE board of trustees is made up of representatives from the courts and judicial organizations. The board includes one Court of Appeals judge; two members of the Council of Superior Court Judges; a

representative from the councils of state, juvenile, probate, magistrate and municipal court judges; one representative from the Superior Court Clerk's Association; one member of the State Bar of Georgia; and an appointee of the Judicial Council. Ex officio members include the immediate past chairpersons of both ICJE and the Institute of Continuing Legal Education boards of trustees, and the deans of Georgia's four accredited law schools. A liaison member representing the Supreme Court and an advisory member also serve on the board. The board met four times during the year.

### Institute of Continuing Judicial Education: Fiscal Year 1998 Instructional Activities

Date	Program	Location	Attendees	Date	Program	Location	Attendees
July 14-16	Municipal court judges 12-hour recertification	Savannah	206	Dec. 9-11	State court judges orientation	Athens	7
July 14-16	Probate court judges traffic seminar	Savannah	75	Jan. 20-23	Superior court judges winter seminar	Athens	152
August 11-13	Magistrates 20-hour recertification	Savannah	150	Jan. 21-23	Trial courts performance standards: Guiding the courts into the future	Athens	18
August 11-14	Superior court judges summer seminar	St. Simons	170	Feb. 18-20	Municipal court judges 20-hour certification	Athens	41
Sept. 7-12	Magistrates 40-hour certification	Athens	64	Feb. 22-27	Magistrates 40-hour certification	Athens	75
Sept. 17-19	Municipal 20-hour certification	Athens	65	March 4-6	20-hour recertification for chief magistrates	Lake Lanier	53
Sept. 25-26	Municipal court judges specialty course: Judicial use of computers	Athens	16	March 11-12	Judging and humanities	Athens	16
Sept. 25-27	Magistrates 20-hour recertification	Duluth	66	March 11-13	Judging and humanities	Athens	27
Oct. 8-10	Probate court clerks seminar	Helen	64	March 18-20	Magistrate court clerks and secretaries annual seminar	St. Simons	24
Oct. 15-17	State court judges fall seminar	Brasstown Valley	72	March 23-25	Workers' compensation judges/ administrative law judges annual seminar	St. Simons	24
Oct. 23-24	Administrative law judges mandatory judicial education seminar	Timber Ridge	72	March 23-25	Superior court clerks spring seminar	St. Simons	141
Oct. 23-25	Juvenile court probation officers fall seminar	Athens	62	March 25-27	Juvenile court clerks annual seminar	St. Simons	75
Oct. 29-31	Magistrate and municipal court judges specialty course: Domestic violence	St. Simons	45	April 7-10	Probate court judges spring seminar	Athens	163
Oct. 29-31	Magistrate and municipal court judges specialty course: Constitutional criminal procedure	St. Simons	68	April 15-17	Judicial secretaries annual seminar	Pine Mountain	130
Nov. 10-12	Juvenile court judges fall seminar	Athens	68	May 13-15	State court judges spring seminar	Jekyll Island	76
Nov. 12-14	Orientation for new law clerks to trial court judges	Athens	52	May 18-20	Juvenile court probation officers spring seminar	Savannah	132
Nov. 18-21	Probate court judges fall seminar	Savannah	112	May 25-27	Juvenile court judges spring seminar	Savannah	92
Nov. 18-20	Superior court clerks fall seminar	Savannah	148	June 10	Probate court clerks annual traffic seminar	Jekyll Island	32
Dec. 5	Specialty course: When bias compounds: Insuring fairness for women of color in courts	Athens	7	June 10-12	Probate court clerks annual spring seminar	Jekyll Island	68
				June 24-26	Magistrate court judges specialty course: Judicial use of computers	Athens	16

---

## Judicial Administrative Districts

A system of regional court administration for the superior courts was created by the Judicial Administration Act of 1976 (OCGA §§15-5-2-4). The judicial circuits are grouped into 10 districts. Each of these 10 judicial administrative districts is served by an administrative judge and district court administrator selected by the superior court judges and senior judges of that district.

Administrative judges have statutory authority to compile caseload data and other information and to assign superior court judges, with their consent, to serve temporarily in other counties and circuits as needed.

District court administrators assist chief judges in preparing, presenting and managing local court budgets. They function as a liaison between superior courts and local government officials, and also interview applicants for trial court administrator, law clerk, court reporter and other court support positions. The district court administrators also assist in automated jury selection, revision of jury boxes, orientation sessions for jury commissioners, and alternative dispute resolution projects. Three districts have ADR programs on a district-wide basis with funding from joint county boards of trustees.

Other projects and activities by district court administrators include: grant applications and grant management; space and facilities management; equipment needs assessment, purchase and set-up;

courthouse renovation and planning; video arraignment and conferencing; web site development; court delay reduction; records retention and management; indigent defense programs; sponsorship of divorcing parent seminars; and management of high-profile cases.

District court administrators work with committees of the Council of Superior Court Judges and the Judicial Council of Georgia and serve on local, state and national committees for the administration of justice and court management.

---

## Judicial Nominating Commission

The Judicial Nominating Commission (Executive Order, February 27, 1995) is an appointed body that solicits nominations of qualified individuals to fill vacant or newly created judgeships. The governor usually interviews applicants from a list of candidates prepared by the commission and makes judicial appointments.

Qualifications for judicial offices are specified either by the state constitution or statute. The commission seeks nominations from civic leaders and the legal community. Commission members evaluate each candidate based on a standard questionnaire and a legal article or brief submitted by the candidate. The commission also interviews the candidate and attorneys who know the candidate.

The commission held 10 meetings in fiscal year 1998 to consider candidates for a total of 14 judicial vacancies. These included: one superior court vacancy in each of the following circuits: Douglas,



Gwinnett, Northeastern, Ocmulgee, Stone Mountain and Tallapoosa; three superior court vacancies in the Atlanta Judicial Circuit; one state court vacancy in each of the following counties: Coweta, Fulton, Gwinnett; and two state court vacancies in DeKalb County.

Since originally founded by executive order in 1973, the commission has acted on a total of 306 judgeships, including 17 Supreme Court vacancies, 17 Court of Appeals vacancies, 182 superior court seats, 81 state court posts, two municipal court judgeships and three civil court vacancies.

The commission includes a total of five individuals appointed by the governor—three members of the State Bar and two non-lawyers. In addition, one non-lawyer is appointed by the lieutenant governor and one by the Speaker of the House of Representatives. Members serve at the pleasure of the appointing authority. The president of the State Bar of Georgia and the state Attorney General are ex-officio members.

---

## Judicial Qualifications Commission

**T**he Judicial Qualifications Commission (JQC) directs investigations into complaints involving judges and holds hearings on allegations of judicial misconduct when necessary. The commission also issues opinions regarding appropriate judicial conduct. Its powers derive from the Georgia Constitution (Art. VI, §VII, ¶6).

The seven-member commission operates under established procedural rules. Most proceedings—including com-

plaints, conferences, communications and decisions—are confidential. Exceptions include notice of formal hearings, formal hearing proceedings, reports recommending discipline and any decision after a hearing in which a judge was found not guilty of misconduct.

Grievances against judges are usually initiated by a written, verified complaint to the commission. Alleged misconduct or protests must be based on one of the canons of the Code of Judicial Conduct. Grounds for action include: 1) willful misconduct in office, 2) willful and persistent failure to perform duties, 3) habitual intemperance, 4) conduct prejudicial to the administration of justice which brings the judicial office into disrepute, and 5) disability which seriously interferes with the performance of judicial duties and which is or is likely to become permanent.

During fiscal year 1998, the commission received and acted on 86 new matters, including 73 complaints and 13 requests for opinion. At the beginning of the year, 16 complaints were pending from fiscal year 1997. At year end, 9 complaints were pending.

The 76 judges named in the 73 new complaints included: 20 superior court judges, two senior judges, two state court judges, 11 probate court judges, 24 magistrate court judges, five juvenile court judges, seven municipal court judges, two recorder's court judges, and one city court judge.

Including carryovers from fiscal year 1997, the commission handled and concluded 93 matters.

### Complaints

Eighty complaints were disposed of as follows:

- 15 dismissed as appropriate for appeal



as a matter of law, unsupported or without merit

- 39 dismissed after minimal investigation
- one dismissed after a conference with the judge
- six dismissed after substantial investigation
- one judge was removed
- seven judges were privately reprimanded
- 10 judges were admonished or cautioned by letter to avoid recurrence of the action giving rise to the complaint.

### Requests for opinions

The commission considered thirteen requests for advisory opinions. Nine formal opinions and four informal opinions were issued.

Sources of complaints and requests for opinions for the fiscal year included: 56 litigants or their relatives, 10 judges, one auxiliary judicial personnel, five attorneys, four public officials, four anonymous complainants, six newspaper articles, and seven others.

The commission held no formal hearings during the year; however, one matter was submitted to the Supreme Court. The commission recommended that a municipal court judge be removed from office because of his familial relationship with the city's mayor. The court unanimously accepted the commission's recommendation.

The commission also conferred privately with nine judges about instances of conduct not warranting formal charges.

In addition to the complaints filed and disposed of during the fiscal year, the commission staff processed 823 requests for complaint forms. From these, 112 complaints were filed. Forty-six were docketed and 66 were returned to the complainant without action because they involved rulings of law or discretionary matters over

## Synopses of fiscal year 1998 JQC opinions

**Opinion 221.** The mere leaving of previously contributed 401-K funds with a newly elected judge's former law firm would not constitute a violation of any of the three per se grounds for disqualification in Canon 3E. However, to remove any possible violation of Canon 5C, the judge should pay his pro rata share of the annual management fee paid by his former firm and should also be aware of the Commentary to Canon 3E suggesting disclosure of information which parties might consider relevant even if disqualification is not legally required.

**Opinion 222.** Newly elected judges who formerly served as district attorneys may appropriately preside in cases involving matters which were of record in the district attorney's office prior to the judge's appointment or election so long as the judge did not personally serve as a lawyer in the matter or otherwise gain knowledge of disputed evidentiary facts concerning the proceeding.

**Opinion 223.** The commission declines to specify a specific period of time within which a judge must automatically disqualify in cases involving a former law partner, but issues general guidelines which should be considered in reaching an appropriate decision.

**Opinion 224.** Practicing attorneys who serve as part-time magistrates should not appear as counsel in any magistrate court sitting in the same county, regardless of the frequency of such service.

**Opinion 225.** It is inappropriate for any judicial officer to accept and/or use "Official Documents" envelopes provided at no cost to the court by advertising agencies for commercial banks and bearing advertisements naming both the court and the bank. Any judicial officer who may have heretofore unknowingly failed to follow the dictates of this opinion is directed to take such action as may be necessary to come into compliance.

**Opinion 226.** Opinion No. 220 issued April 25, 1997, is modified so as to conform to the statutory provisions of OCGA §15-6-8(4) specifically authorizing the superior courts of this state to exercise general supervision over all inferior tribunals in their respective jurisdictions. Except as modified, Opinion No. 220 remains viable and binding.

**Opinion 227.** The wearing of a candidate "badge" by a lawyer while in the local courthouse and/or while trying cases constitutes conduct falling below the standard of campaign conduct enunciated by the Supreme Court and hence is inappropriate.

which the commission has no jurisdiction. Some 84 additional complaints that were filed on outdated forms, State Bar grievance forms or by letter were returned to complainants.

### Rule changes

In fiscal year 1997, the commission named a special committee to study and make recommendations for proposed changes to Canon 7 (dealing with political conduct and elections) and other Code and Rule provisions. After consideration of this report, the commission submitted final recommendations to the Supreme Court in August 1997. The court approved the proposed changes with an effective date of January 1, 1998. The commission publicized the amended rules by distributing to every judge in Georgia a copy of the Formal Advisory Opinions, the newly revised Code of Judicial Conduct, and the Rules of the Commission.

One of the new rules, Rule 27, requires among other provisions that candidates running for judicial office notify the commission of their candidacy. During the 1998 election campaign, the commission received the notice of intent to run from 152 candidates. The commission then distributed materials and information required by Rule 27 to those candidates.

Members of the commission include two judges of courts of record appointed by the Supreme Court, three attorneys named by the Board of Governors of the State Bar of Georgia and two citizens selected by the governor. A director, investigator and secretary serve as staff.

---

## Supreme Court Commission on Equality

**T**he Supreme Court Commission on Equality, initially established in 1995, was formed to continue the work of both the Supreme Court Committee for Gender Equality (established in 1992) and the Supreme Court Commission on Racial and Ethnic Bias in the Courts (established in 1993). The commission addresses any concerns related to bias or prejudice in Georgia's court system that are based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status.

The commission's tasks include: formulating and proposing guidelines, standards and procedures to implement earlier recommendations; developing appropriate mandatory judicial and legal education course material; serving as a resource to the media; educating the public about domestic violence; developing a mechanism for processing bias complaints from the public about the behavior of judges and lawyers; and working with the Judicial Nominating Commission.

Subcommittees of the commission address specific issues in the following areas:

In fiscal year 1998, the **Diversity in the Workplace Committee** developed a survey to update information on the demographics of the state judiciary. The survey has been distributed to all Georgia judges. Members met with law school placement directors to determine ways in which the

commission can assist minority graduates. A new Model Sexual Harassment Policy for the courts was developed and has recently been included in training seminars for judges sponsored by the Institute of Continuing Judicial Education (ICJE).

The **Training Committee** produced a video entitled "Let Justice Be Done." Actors take the roles of various judicial system personnel and act out common behaviors that are often perceived to be biased. The video, along with a study guide for facilitators, is used to increase awareness about bias-free behavior. A new bailiff training video will offer direct guidance to bailiffs on appropriate courtroom practices, daily responsibilities and cultural sensitivity. Copies will be distributed for use in each county. The committee co-sponsored the program "Fair Measure: Toward Effective Attorney Evaluations" at the annual meeting of the State Bar.

The **Juvenile Justice Committee** began the process of reprinting and distributing *Rights and Responsibilities of Teenagers Under Georgia Law*, a pamphlet developed by the DeKalb County District Attorney's Office.

The **Court Interpreters Committee** held a workshop for 55 foreign language interpreters. The workshop, facilitated by members of the Atlanta Association of Interpreters and Translators, was designed to help interpreters develop their professional skills and knowledge of court procedures. The *Code of Professional Responsibility for Court Interpreters*, *Guidelines for Court Interpreter Usage*, and *Proposed Benchbook Material on Interpreter-Related Items* were sent to all superior court judges. The Registry of Court Interpreters, indexed by language, location and name, was maintained and updated by the Administrative

Office of the Courts. This information is available by telephone request or via the Internet.

Commission representatives attended the Tenth Annual Meeting of the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts. Georgia was also represented at the National Association of Women Judges Nineteenth Annual Conference. Judges on the commission shared their experience at the South Carolina Annual Conference of Judges. Members also worked with the National Judicial Education Program to Promote Equality for Women and Men in the Courts to develop a model judicial education curriculum, *When Bias Compounds: Insuring Equal Justice for Women of Color in the Courts*.

In April 1998, the commission became part of the newly created Supreme Court Office of Commissions and Programs.

---

## Supreme Court Committee on Substance Abuse and the Courts

**T**he Supreme Court Committee on Substance Abuse and the Courts is now in its fourth year of operation. Its activities seek to implement recommendations made at the 1994 Georgia Conference on Substance Abuse and the Courts. During fiscal year 1998, new subcommittees were formed to address the following issues:

The **Juvenile Justice/Drug Courts**

**Committee** provides technical assistance to counties in implementing drug courts. During the year, the committee submitted a multi-jurisdictional planning grant application to the U.S. Department of Justice Drug Courts Program Office. The committee also supported the continuation drug court grant for Bibb County and the drug court planning grant for Glynn County.

The **Drug Law–Related Education Projects Committee** sponsors seminars for judges, lawyers and other court personnel on substance abuse issues.

The **Community Outreach Program Committee** identifies effective substance abuse programs for implementation in other communities.

The **Continuing Legal Education (CLE) Program for Judges, Defense Lawyers, and Prosecutors Committee** works to create for-credit seminars concerning the importance of drug courts, the work of the committee, and other drug-related issues. The committee co-hosted a program entitled “Lawyers Under Siege: Stress Management in the Workplace” at the State Bar conference in June. The committee’s first annual statewide training conference is planned for July 1998.

The **Grant Brochure Committee** is working to develop a brochure to identify state and federal grant programs relating to substance abuse. A statewide grant-writing workshop is scheduled for October 1998.

The **Fines and Forfeiture Committee** has begun a study to learn about the allocation of county drug abuse treatment and education funds.

Other activities included the publication of a quarterly newsletter. Five members of the committee founded the Georgia Association of Drug Court Professionals,

comprised of judges, prosecutors, defense attorneys, treatment specialists, probation officers, law enforcement officers, and administrative staff. Committee members also attended the National Association of Drug Court Professionals Fourth Annual Training Conference.

Financial support for the committee comes from the Criminal Justice Coordinating Council and state funds appropriated to the Supreme Court. The membership is comprised of appointed representatives from the executive, judicial and legislative branches of government; the legal profession; court administrators; and civic leaders.

In April 1998, the committee became part of the newly created Supreme Court Office of Commissions and Programs.

---

## Supreme Court Child Placement Project

**T**he Supreme Court Child Placement Project (CPP) works to assess and improve court procedures for child deprivation cases in Georgia. In fiscal year 1998, the project began its implementation phase, based on needs identified by the assessment phase.

As recommended in the assessment report, the CPP sponsored a statewide cross-training project. One-day training sessions were held in eight cities to address the responsibilities of caseworkers, attorneys and judges involved in deprivation hearings.

The purchase of computer hardware for juvenile courts was initiated in response

to a recommendation for automation of records of deprived children. Other projects include an automated caseplan report to be developed by the Georgia Tech Research Institute, sponsorship of workshops to develop guidelines or standards of practice, production of a video to explain to parents their legal rights and the

process of a deprivation case, and publication of a newsletter and web page.

The CPP is federally funded. All committee members are appointed by the Supreme Court of Georgia. In April 1998, the commission became part of the newly created Supreme Court Office of Commissions and Programs.

# Judicial Appointments and Elections

## Fiscal Year 1998

### SUPERIOR COURTS

#### **Atlanta Judicial Circuit**

Judge Melvin K. Westmoreland, appointed Sept. 24, 1997 - Dec. 31, 1998.

#### **Northeastern Judicial Circuit**

Judge Kathlene F. Gosselin, appointed June 3, 1998 - Dec. 31, 2000.

### STATE COURTS

#### **Coweta County**

Judge John Herbert Cranford, appointed May 27, 1998 - Dec. 31, 2000.

#### **DeKalb County**

Judge Edward E. Carriere Jr., appointed Jan. 5, 1998 - Dec. 31, 1998.

#### **Evans County**

Judge Barbara J. Nelson, appointed July 23, 1997 - Dec. 31, 1998.

#### **Fulton County**

Judge Susan B. Forsling, appointed Oct. 17, 1997 - Dec. 31, 1998.

#### **Hall County**

Judge Bonnie Chessher Oliver, appointed June 11, 1998 - Dec. 31, 2000.

#### **Richmond County**

Judge Richard A. Slaby, appointed July 23, 1997 - Dec. 31, 1998.

Judge David D. Watkins, appointed July 23, 1997 - Dec. 31, 1998.

### JUVENILE COURTS

#### **Dade, Walker Counties**

Judge F. Bryant Henry, appointed Sept. 2, 1997 - June 30, 2001.

#### **DeKalb County**

Assoc. Judge Desiree Sutton Peagler, appointed Sept. 22, 1997.

#### **Haralson, Paulding, Polk Counties**

Judge Mark H. Murphy, appointed Sept. 2, 1997 - June 30, 2001.

#### **Newton County**

Judge Billy J. Waters, appointed Sept. 2, 1997 - Sept. 4, 2002



